

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
January 12, 2016

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[LB47 LB127 LB166 LB691 LB717 LB746 LB817 LB844 LB868 LB884 LB900 LB903  
LB904 LB905 LB906 LB907 LB908 LB909 LB910 LB911 LB912 LB913 LB914 LB915  
LB916 LB917 LB918 LB919 LB920 LB921 LB922 LB923 LB924 LB925 LB926 LB927  
LB928 LB929 LB930 LB931 LB932 LB933 LB934 LB935 LR35 LR400 LR402 LR403]

SENATOR KRIST PRESIDING

SENATOR KRIST: GOOD MORNING, LADIES AND GENTLEMEN, AND WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE FIFTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. THE CHAPLAIN FOR TODAY IS PASTOR BRENT KUHLMAN FROM TRINITY LUTHERAN CHURCH, MURDOCK, NEBRASKA, SENATOR KINTNER'S DISTRICT. PLEASE RISE.

PASTOR KUHLMAN: (PRAYER OFFERED.)

SENATOR KRIST: THANK YOU, PASTOR KUHLMAN. I CALL TO ORDER THE FIFTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SENATOR KRIST: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NO CORRECTIONS, MR. PRESIDENT.

SENATOR KRIST: ARE THERE ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: THERE ARE. MR. PRESIDENT, NEW BILLS TO BEGIN WITH, IF I MAY. (READ LB903-907 BY TITLE FOR THE FIRST TIME.) MR. PRESIDENT, IN ADDITION, I HAVE A HEARING NOTICE FROM THE AGRICULTURE COMMITTEE THAT'S SIGNED BY SENATOR JOHNSON AS CHAIR. AND I HAVE NEW RESOLUTIONS, LR400 AND LR401, BOTH OFFERED BY SENATOR FOX. BOTH WILL BE LAID OVER AT THIS TIME, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 243-245.) [LB903 LB904 LB905 LB906 LB907 LR400 LR401]

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SENATOR KRIST: THANK YOU, MR. CLERK. SPEAKER HADLEY, YOU'RE RECOGNIZED.

SPEAKER HADLEY: MR. PRESIDENT AND MEMBERS OF THE BODY, I'D LIKE TO MAKE JUST A QUICK ANNOUNCEMENT. YESTERDAY I BEGAN ACCEPTING 2016 SENATOR AND COMMITTEE PRIORITY DESIGNATION LETTERS, AND ALSO LETTERS REQUESTING ME TO SELECT A BILL AS A 2016 SPEAKER PRIORITY BILL. SIX SENATORS SUBMITTED DESIGNATION LETTERS FOR THEIR PRIORITIES. IT IS MY INTENTION TO BEGIN DEBATE OF 2016 PRIORITIES EARLY THIS YEAR, SO THERE IS AN ADVANTAGE TO DESIGNATING YOUR PRIORITY EARLY IF IT IS A CARRYOVER BILL. FOR THOSE OF YOU NEW TO THE PROCESS, PLEASE KEEP IN MIND THAT THE DEBATE OF PRIORITIES ON THE FLOOR DO NOT FOLLOW DESIGNATION ORDER. AS SPEAKER, I WILL BE SCHEDULING THE ORDER OF PRIORITY BILL DEBATE TAKING THEM INTO CONSIDERATION, A NUMBER OF CONSIDERATIONS. WITH THIS IN MIND, THERE IS NO ADVANTAGE IN CHOOSING A PRIORITY BILL EARLY IF IT IS NOT ON GENERAL FILE AND READY FOR DEBATE. YOU ONLY GET TO DESIGNATE ONCE, AND IF YOUR PRIORITY BILL DOES NOT GET OUT OF COMMITTEE, YOU'VE LOST YOUR OPPORTUNITY TO HAVE A PRIORITY BILL DEBATED THIS YEAR. FOLLOWING MY REMARKS, I WILL BE PASSING OUT A MEMO THAT OUTLINES THE PROCEDURE FOR DESIGNATING PRIORITY BILLS AND PROVIDES THE DEADLINES. THE MEMO THAT YOU WILL RECEIVE ALSO REITERATES THE SPEAKER'S PROCEDURE THAT I ANNOUNCED IN DECEMBER WITH RESPECT TO 2016 SPEAKER PRIORITY BILLS. THIS YEAR SPEAKER PRIORITY BILLS MAY NOT BE USED AS A VEHICLE FOR ANOTHER BILL BY AMENDMENT WITHOUT MY CONSENT. AND TO LET YOU KNOW UP-FRONT, I DO NOT INTEND TO PROVIDE THAT CONSENT EXCEPT IN SITUATIONS WHERE I'M CONVINCED A PROVISION MUST PASS DURING THE 2016 SESSION AND ANOTHER VEHICLE CANNOT BE FOUND. YOU WANT TO KEEP THIS PROCEDURE IN MIND IF YOU REQUEST A BILL TO BE DESIGNATED BY ME AS A SPEAKER PRIORITY BILL. WE WOULD BE HAPPY TO DISCUSS ANY OF THIS WITH YOU BUT, AS I SAID, WE ALREADY HAVE SIX DESIGNATED BILLS ALREADY FOR PRIORITIES, SO WE'RE MOVING ALONG. AND WHAT THIS DOES MEAN IS, IS THAT AS WE GET INTO PRIORITY BILLS QUICKER, THAT MEANS WORKSHEET ORDER, GENERAL FILE BILLS, THERE'S A GOOD CHANCE WE WILL NOT GET TO ANY THIS YEAR. SECONDLY, AS YOU KNOW, NEXT TUESDAY WE GO BACK TO THE HALF DAY COMMITTEE HEARINGS. SO THIS IS OUR FIRST WEEK OF FULL DEBATE, BUT WE GO BACK TO BASICALLY HAVING THREE HOURS IN THE MORNING ON THE FLOOR, SO WE HAVE A NUMBER OF BILLS THAT I THINK WILL TAKE EXTENDED DEBATE, SO WE WILL BE MOVING THROUGH THOSE BILLS. LASTLY, JUST REMEMBER THAT PLEASE KEEP YOUR COMMITTEE HEARINGS QUIET BECAUSE

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IT'S QUIET TIME ON THE SECOND FLOOR BETWEEN 2:00 AND 3:00 P.M. THANK YOU. (LAUGHTER)

SENATOR KRIST: THANK YOU, SPEAKER HADLEY. MR. CLERK, WE'LL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA.

CLERK: MR. PRESIDENT, LB47, A BILL ORIGINALLY INTRODUCED BY SENATOR WATERMEIER. (READ TITLE.) IT WAS INTRODUCED ON JANUARY 8 OF 2015. AT THAT TIME IT WAS REFERRED TO THE TRANSPORTATION COMMITTEE. THE BILL WAS REPORTED TO THE FLOOR. THERE ARE TRANSPORTATION COMMITTEE AMENDMENTS. I MIGHT INDICATE TO THE MEMBERS, THE BILL WAS DISCUSSED TWICE LAST YEAR, MR. PRESIDENT; FIRST TIME THIS YEAR. COMMITTEE AMENDMENTS PENDING. (AM635, LEGISLATIVE JOURNAL PAGE 775, FIRST SESSION, 2015.) [LB47]

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR WATERMEIER, YOU'RE RECOGNIZED. [LB47]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, NEBRASKA. I'D LIKE TO THANK THE SPEAKER FOR MAKING THIS A SPEAKER PRIORITY BILL LAST YEAR. AS YOU MAY RECALL, THE LEGISLATURE DEBATED LB47 LAST MARCH BUT DID NOT GET TO VOTE ON THE ADVANCEMENT OF THE BILL. LB47 REQUIRES APPLICANTS FOR DRIVER'S LICENSES OR IDENTIFICATION CARDS TO ANSWER THE QUESTION REGARDING WHETHER TO PLACE THEIR NAME ON THE DONOR REGISTRY. CURRENTLY, THIS QUESTION ON THE APPLICATION IS OPTIONAL. I WENT INTO MORE DEPTH EXPLAINING THE DETAILS OF THE BILL LAST YEAR, SO I WILL NOT REPEAT THAT INFORMATION AS YOU CAN FIND IT ON-LINE. I WILL INSTEAD FOCUS ON THE KEY CHANGE IN THE LAW THAT IS MAKING THE QUESTION MANDATORY. THE INTENT OF LB47 IS TO INCREASE THE NUMBER OF DONORS IN NEBRASKA. ORGAN DONATION SAVES LIVES, INCREASES LIFE EXPECTANCY, AND IMPROVES THE QUALITY OF LIFE FOR NEBRASKANS. CURRENTLY, JUST OVER 750,000 NEBRASKANS ARE REGISTERED WITH THE DONOR REGISTRY OF NEBRASKA AS AN ORGAN AND TISSUE DONOR. APPROXIMATELY 98 PERCENT OF THE NEBRASKANS WHO REGISTERED AS DONORS BECAME REGISTERED THROUGH THE APPLICATION PROCESS FOR A DRIVER'S LICENSE OR A STATE ID CARD. HOWEVER, APPROXIMATELY 10 PERCENT OR MORE THAN 47,000 PEOPLE OF THE APPLICANTS THAT APPLIED FOR A LICENSE IN 2014 DID NOT RESPOND TO THE QUESTION ASKING WHETHER THEY WANT TO BE REGISTERED AS A DONOR. WITH THE QUESTION OPTIONAL, JUST 55

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PERCENT OF THE NEBRASKA DRIVER'S LICENSE AND STATE ID CARD HOLDERS ARE REGISTERED AS DONORS. NEARBY STATES WHERE THE QUESTION IS MANDATORY HAVE EXPERIENCED HIGHER PARTICIPATION RATES. COLORADO'S PARTICIPATION RATE IS 67; MISSOURI, 64; OKLAHOMA, 61; AND PARTICIPATION RATE IN WYOMING IS 60. EACH ORGAN DONATION MAY DIRECTLY BENEFIT AS MANY AS EIGHT PEOPLE, WHILE UP TO 50 PEOPLE MAY DIRECTLY BENEFIT FROM A SINGLE-TISSUE DONOR. AS FAR AS THE MEDICAL ASPECT, WE HAVE MADE GREAT STRIDES AS THE AVERAGE SURVIVAL RATE IS NOW OVER 80 PERCENT AFTER A TRANSPLANT OF A VITAL ORGAN. WE HAVE ALSO MADE GREAT STRIDES OVER THE YEARS IN ENCOURAGING NEBRASKANS TO BECOME DONORS. HOWEVER, AT ANY GIVEN TIME, THERE ARE STILL 500 NEBRASKANS WAITING FOR AN ORGAN OR TISSUE TRANSPLANT. UNFORTUNATELY, SOME DIE WHILE THEY'RE ON THIS WAITING LIST. KEEP IN MIND THAT DONORS CAN CHANGE THEIR MIND AT ANY TIME BY ACCESSING THE REGISTRY ON-LINE OR BY A TELEPHONE CALL. EVEN IF SOMEONE HAS THE HEART DESIGNATION ON THEIR LICENSE, THE REGISTRY IS ALWAYS CHECKED BEFORE A DONATION IS MADE. LB47 WAS ADVANCED FROM THE TRANSPORTATION AND TELECOMMUNICATION COMMITTEE ON AN 8-0 VOTE WITH COMMITTEE AMENDMENTS. THE COMMITTEE AMENDMENTS CLARIFY THAT APPLICANTS MUST BE AT LEAST 16 YEARS OF AGE TO ANSWER THE MANDATORY QUESTION. IN RESPONSE TO CONCERNS EXPRESSED, THE QUESTION REGARDING RECEIVING ADDITIONAL INFORMATION ON BECOMING A DONOR IS NOW PLACED PRIOR TO THE MANDATORY QUESTION ON AN ORGAN DONATION. THE AMENDMENTS ALSO SPELL OUT THAT A DONOR CAN LIMIT WHAT ORGANS AND/OR TISSUES THEY WANT TO DONATE BY MAKING THIS DISTINCTION ON THE INTERNET OR BY A PHONE CALL OR BY OTHER METHODS, SUCH AS A WILL. IT ALSO REINSTATES TELEPHONE ACCESS TO THE REGISTRY. AS YOU WILL NOTE, I HAVE AN AMENDMENT PENDING WHICH OFFERS A THIRD CHOICE TO THE MANDATORY QUESTION. UNDER THIS AMENDMENT APPLICANTS COULD SELECT YES, COULD SELECT NO, OR ELECT NOT TO ANSWER. SENATOR BRASCH BROUGHT UP THIS SUGGESTION AT THE PUBLIC HEARING IN RESPONSE TO THE DEPARTMENT'S CONCERNS OVER NOT BEING ABLE TO ISSUE A LICENSE TO SOMEONE WHO REFUSES TO ANSWER THE QUESTION. I BELIEVE THIS IS A COMPROMISE THAT SHOULD RESOLVE THIS CONCERN. LAST YEAR THERE WAS SOME DISCREPANCY OVER THE NUMBER OF STATES THAT HAD MANDATORY QUESTIONS ON THEIR DRIVER'S LICENSE APPLICATION. OVER THE INTERIM, THE NEBRASKA ORGAN RECOVERY SYSTEM--WHICH I WILL REFER TO AS NORS--CONDUCTED A SURVEY OF ORGAN PROCUREMENT ORGANIZATIONS REGARDING THE POLICIES ON THESE JURISDICTIONS FOR ORGAN AND TISSUE DONATION QUESTIONS ON DRIVER'S LICENSES AND ID APPLICATIONS. THE RESPONSES RECEIVED TO DATE

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BY NORS INDICATE THAT 33 STATES AND WASHINGTON, D.C., REQUIRE APPLICANTS TO RESPOND TO A QUESTION ASKING WHETHER THEY WISH TO BECOME AN ORGAN DONOR AND TISSUE DONOR. TEN STATES DO NOT REQUIRE THE QUESTION TO BE MANDATORY. NORS HAS NOT HEARD BACK FROM THE REMAINING STATES. IF YOU WOULD LIKE MORE SPECIFIC INFORMATION ON THESE STATISTICS, I HAVE A VERY DETAILED SPREADSHEET THAT I WOULD BE HAPPY TO SHARE WITH YOU. THERE WAS ALSO SOME DISCUSSION AS TO WHETHER LB47 VIOLATES THE FREE SPEECH CLAUSE OF THE UNITED STATES AND/OR THE NEBRASKA CONSTITUTION. DR. MICHAEL FENNER...PROFESSOR FENNER, WHO IS A PROFESSOR OF CONSTITUTIONAL LAW AT THE CREIGHTON UNIVERSITY LAW SCHOOL, WROTE A LETTER TO SPEAKER HADLEY ON THIS SUBJECT. I HAVE DISTRIBUTED COPIES OF HIS RECORD ON LETTER. HE EXPLAINS THAT LB47 IS NOT LIKE, AT ALL, THE FORCED SPEECH CASES WHICH SAY THE GOVERNMENT CANNOT FORCE YOU TO OPENLY CONVEY A MESSAGE WITH WHICH YOU DISAGREE. EVEN WITHOUT THE AMENDMENT I AM OFFERING, PROFESSOR FENNER COMPARED LB47 TO PENNIES IN OUR POCKET THAT SAY, IN GOD WE TRUST. WITH THE AMENDMENT HE FOUND THAT LB47 DOES NOT FORCE ANYONE TO TAKE A POSITION, WHETHER POLITICAL, RELIGIOUS, OR OTHERWISE, ON ANYTHING, SINCE THEY CAN SELECT THE OPTION OF ELECT NOT TO ANSWER. CONSEQUENTLY, PROFESSOR FENNER IS CONVINCED THAT LB47 AND AM938 DO NOT VIOLATE EITHER THE UNITED STATES OR THE NEBRASKA CONSTITUTION. I THINK THE TESTIMONY OF A YOUNG MAN AT THE PUBLIC HEARING BEST SUMMED UP THE PURPOSE OF THIS BILL. HE WAS A DOUBLE LUNG TRANSPLANT RECIPIENT. HE HAD WAITED TWO AND A HALF YEARS FOR THE CALL, AND HE WAS RUNNING OUT OF HOPE. HE STRESSED THAT IF THE DONOR HAD GLANCED OVER THE QUESTION, HE WOULD NOT BE HERE TODAY. HE SAID IF A PERSON DOESN'T WISH TO BECOME A DONOR HE CAN ACCEPT THAT, BUT APATHY IS HARD TO ACCEPT. LB47 DOES NOT FORCE ANYONE TO BECOME A DONOR AGAINST THEIR WILL. WITH MY PROPOSED AMENDMENT, LB47 SIMPLY ENSURES THAT APPLICANTS ANSWER THE QUESTION WITH EITHER A YES, OR A NO, OR ELECT NOT ANSWER, INSTEAD OF JUST SKIPPING OVER IT. I DON'T BELIEVE LB47 IS ASKING TOO MUCH OF ANYONE. LB47 WILL SAVE LIVES, PLAIN AND SIMPLE. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR WATERMEIER. (VISITORS INTRODUCED.) AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE TRANSPORTATION COMMITTEE. SENATOR SMITH, AS THE CHAIR OF THE COMMITTEE, YOU ARE RECOGNIZED. [LB47]

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SENATOR SMITH: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. THE COMMITTEE AMENDMENT SUBSTITUTES FOR THE BILL, THE PROVISIONS INTRODUCED BY SENATOR WATERMEIER ARE RETAINED, BUT WITH THE FOLLOWING CHANGES PROPOSED. FIRST, ANY PERSON UNDER THE AGE OF 16 IS NOT OBLIGATED TO ANSWER ANY MANDATORY QUESTIONS RELATING TO ORGAN OR TISSUE DONATION. SECOND, SECTION 1 OF THE BILL REORDERS THE QUESTIONS ON THE OPERATOR'S LICENSE APPLICATION. THE QUESTION ASKING AN APPLICANT IF THEY DESIRE TO RECEIVE ADDITIONAL INFORMATION REGARDING BECOMING AN ORGAN OR TISSUE DONOR IS PLACED IN FRONT OF THE MANDATORY QUESTION THE APPLICANT MUST ANSWER REGARDING ORGAN AND TISSUE DONATION. THIRD, THE AMENDMENT ALSO CLARIFIES THAT A DONOR MAY LIMIT WHAT ORGAN AND/OR TISSUES THEY DESIRE TO DONATE. ANY PERSON WANTING TO LIMIT THE DONATION OF ORGANS OR TISSUES MUST DO SO BY CONTACTING THE DONOR REGISTRY OF NEBRASKA BY WAY OF THE INTERNET, TELEPHONE, OR THROUGH THEIR WILL. AND, FOUR, FINALLY, THE COMMITTEE AMENDMENT REINSTATES CURRENT STATUTORY LANGUAGE THAT ALLOWS AN INDIVIDUAL TO CONTACT THE DONOR REGISTRY OF NEBRASKA AND TO REVISE THEIR ORGAN OR TISSUE DECISION BY WAY OF A TELEPHONE CALL. COLLEAGUES, I ASK FOR YOUR APPROVAL OF THE COMMITTEE AMENDMENT. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR SMITH. MR. CLERK, I UNDERSTAND WE HAVE ANOTHER AMENDMENT. [LB47]

CLERK: I DO, MR. PRESIDENT. SENATOR WATERMEIER WOULD MOVE TO AMEND THE COMMITTEE AMENDMENT WITH AM938. (LEGISLATIVE JOURNAL PAGE 974, FIRST SESSION, 2015.) [LB47]

SENATOR KRIST: SENATOR WATERMEIER, YOU ARE RECOGNIZED. [LB47]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. AM938, REAL BRIEFLY, AS I SAID IN MY OPENING, JUST DOES ONE THING. IT INTRODUCES THE THIRD QUESTION. AND JUST...SO NOW YOU'LL HAVE THE MANDATORY QUESTION OF YES, NO, OR CHOOSE NOT TO ANSWER. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR WATERMEIER. YOU HAVE HEARD THE OPENING ON AM938, AM635 TO LB47. THOSE WISHING TO SPEAK: SENATOR BLOOMFIELD AND SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB47]

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SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR WATERMEIER WOULD YIELD TO A QUESTION OR TWO. [LB47]

SENATOR KRIST: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR BLOOMFIELD: THANK YOU, SENATOR WATERMEIER. YOU SAID IN NEBRASKA ON THE STRICTLY VOLUNTARY SYSTEM WE'RE AT 55 PERCENT. WOULD YOU GIVE ME THOSE PERCENTAGES AGAIN FOR THE STATES THAT MANDATE IT? [LB47]

SENATOR WATERMEIER: IT ROUGHLY JUMPS FROM 60 PERCENT TO 68 PERCENT. [LB47]

SENATOR BLOOMFIELD: I THINK YOU SAID IOWA WAS 60 PERCENT. [LB47]

SENATOR WATERMEIER: WHAT I HAD IN MY TRANSCRIPT HERE IS COLORADO IS 67 PERCENT; MISSOURI, 64 PERCENT; OKLAHOMA, 61 PERCENT; AND WYOMING AT 60 PERCENT. [LB47]

SENATOR BLOOMFIELD: WYOMING IS 60 PERCENT. ANOTHER STATE, 61 PERCENT? [LB47]

SENATOR WATERMEIER: RIGHT. [LB47]

SENATOR BLOOMFIELD: NEBRASKA IS AT 55 PERCENT... [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR BLOOMFIELD: ...WITHOUT YOUR PROPOSED CHANGE. I DON'T SEE ANY REASON WE SHOULD FORCE NEBRASKANS TO ANSWER THAT QUESTION IN HOPES OF GAINING 5 PERCENT. [LB47]

SENATOR WATERMEIER: WE'RE ACTUALLY GOING TO...CAN I ANSWER YOUR QUESTION? [LB47]

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SENATOR BLOOMFIELD: PLEASE. [LB47]

SENATOR WATERMEIER: WE'RE ACTUALLY GOING TO GAIN ABOUT 8 PERCENT, AND I SAID THAT FROM THE GET-GO THAT WE THINK THE ODDS OF INCREASING THE ODDS OF SOMEONE ANSWERING THE QUESTION, OR BEING ON THE REGISTER, IS GOING TO INCREASE BY ABOUT 8 PERCENT OF THE POPULATION THAT ARE WILLING TO BE DONORS. SO WE'RE NOT ASKING THAT WE'RE GOING TO GO FROM 50 PERCENT TO 100 PERCENT. WE JUST ARE GUESSING BY THE OTHER STATES ON HOW THEY'VE INCREASED THEIR PERCENTAGES. [LB47]

SENATOR BLOOMFIELD: OKAY. THANK YOU. COLLEAGUES, I OPPOSED THIS IDEA LAST YEAR. I WILL OPPOSE IT AGAIN THIS YEAR. THE IDEA THAT WE FORCE A NEBRASKAN, AND PARTICULARLY A NEBRASKAN UNDER AGE 21, TO MAKE THAT DECISION WHILE HE'S STANDING IN LINE GETTING HIS DRIVER'S LICENSE JUST DOESN'T MAKE SENSE TO ME. I WOULD IMAGINE I'LL HAVE MORE TO SAY ON THIS LATER, BUT LET IT BE KNOWN THAT I WILL OPPOSE THIS, AND I WILL PROBABLY OFFER AN AMENDMENT OR TWO. I THINK PARTICULARLY IN THE AREA OF THE AGE, I DON'T BELIEVE WE SHOULD BE ASKING A 16-, 17-YEAR-OLD KID TO MAKE THAT DECISION AND DEMANDING THAT HE DO IT. SO PROBABLY THE FIRST AMENDMENT I WILL MAKE WILL BE TO THE TRANSPORTATION COMMITTEE'S AMENDMENT IN ATTEMPT TO TAKE THAT AGE UP TO A MORE REASONABLE LEVEL. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. LET THE GAMES BEGIN. [LB47]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD AND SENATOR WATERMEIER. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, IF I WERE TO DESCRIBE THE EMOTION THAT I FEEL RIGHT NOW, IT WOULD BE FURY. I WANT TO ASK SENATOR WATERMEIER A QUESTION. [LB47]

SENATOR KRIST: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES, SIR. [LB47]

SENATOR CHAMBERS: SENATOR WATERMEIER, IF A PERSON DOESN'T ANSWER OR CHECK "CHOOSE NOT TO ANSWER," WHAT HAPPENS? CAN THAT PERSON...TELL



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ME WHAT HAPPENS IF THE PERSON SAYS I'M NOT GOING TO CHECK ANYTHING.  
[LB47]

SENATOR WATERMEIER: WE'VE HAD A CONVERSATION WITH THE DEPARTMENT  
AND THEY FEEL LIKE THEY CAN ADMINISTER THE BILL THE WAY IT IS. [LB47]

SENATOR CHAMBERS: WELL, I WANT TO KNOW WHAT HAPPENS IF A PERSON  
DOESN'T PARTICIPATE IN THIS ACTIVITY. IS THIS A CONDITION PRECEDENT TO  
BEING ABLE TO OBTAIN A DRIVER'S LICENSE? IN OTHER WORDS, IF YOU DON'T  
PARTICIPATE ONE WAY OR THE OTHER, YOU WILL NOT BE ISSUED A DRIVER'S  
LICENSE. IS THAT TRUE OR IS THAT FALSE? [LB47]

SENATOR WATERMEIER: THAT'S TRUE, BUT I HAVE REASSURANCES FROM THE  
DEPARTMENT THAT THEY'LL BE ABLE TO... [LB47]

SENATOR CHAMBERS: I DON'T CARE ABOUT THE DEPARTMENT. I'M TALKING  
ABOUT ME. I'M NOT CONTROLLED BY THE DEPARTMENT. THIS STUFF IS BEING  
DONE AT THE BEHEST OF PRIVATE ASSOCIATIONS. ISN'T THAT TRUE? WHO ASKED  
YOU TO DO THIS? [LB47]

SENATOR WATERMEIER: I'VE HAD CONVERSATIONS IN THE LAST YEAR WITH  
ORGAN DONOR ORGANIZATIONS, I HAVE. [LB47]

SENATOR CHAMBERS: AND ARE THEY PRIVATE? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR CHAMBERS: SO YOU'RE GOING TO USE THE STATE INSTRUMENTALITY  
TO BENEFIT PRIVATE AGENCIES AND WHAT THEY'RE TRYING TO DO. ISN'T THAT  
CORRECT? [LB47]

SENATOR WATERMEIER: NO. [LB47]

SENATOR CHAMBERS: THEN YOU'RE NOT TRYING TO BENEFIT WHAT THEY'RE  
TRYING TO DO? [LB47]

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SENATOR WATERMEIER: I'M TRYING TO BENEFIT THE CITIZENS OF NEBRASKA.  
[LB47]

SENATOR CHAMBERS: NO, YOU'RE TRYING TO WORK WITH THESE...WAIT A  
MINUTE. WHAT ARE THESE AGENCIES TRYING TO DO? [LB47]

SENATOR WATERMEIER: PROVIDE A DONOR LIST TO THE CITIZENS OF NEBRASKA.  
[LB47]

SENATOR CHAMBERS: FOR WHAT PURPOSE? TO OBTAIN TISSUE OR ORGANS,  
ISN'T THAT TRUE? [LB47]

SENATOR WATERMEIER: FOR THE CITIZENS OF THE COUNTRY. [LB47]

SENATOR CHAMBERS: THANK YOU. YOU KNOW WHAT? SENATOR WATERMEIER IS  
SHOWING WHAT PEOPLE WHO BRING THIS KIND OF TRASH ALWAYS DO. THEY  
WILL NOT ANSWER QUESTIONS DIRECTLY WHEN THEY KNOW WHAT IS BEING  
ASKED AND WHAT THE ANSWER OUGHT TO BE, BUT THEY DON'T WANT TO GIVE  
IT BECAUSE THEY'RE BEING DISINGENUOUS, WHICH IS ANOTHER WAY OF  
SAYING DISHONEST. AND I'M NOT GOING TO SIT STILL, STAND STILL FOR THIS.  
I'M GOING TO OFFER AMENDMENT AFTER AMENDMENT JUST TO TAKE TIME.  
THIS IS WORTHLESS. THERE ARE PEOPLE WHO ADMIRE SIR THOMAS MORE, BUT I  
DIDN'T GET MY ANSWER YET. SENATOR WATERMEIER, IF A PERSON DOES NOT  
PARTICIPATE IN THIS ACTIVITY AND SAYS, I'M NOT GOING TO ANSWER  
ANYTHING, WILL THAT PERSON BE ISSUED A DRIVER'S LICENSE? [LB47]

SENATOR WATERMEIER: NO. [LB47]

SENATOR CHAMBERS: THANK YOU. DO YOU SEE WHAT I'M TALKING ABOUT? A  
DRIVER'S LICENSE IS TO SHOW THAT YOU HAVE MET THE REQUIREMENTS TO  
DRIVE A VEHICLE ON THE ROADS AND HIGHWAYS OF THIS STATE. AND THEN HE  
IS GOING TO SAY THAT BEFORE YOU CAN GET THAT LICENSE YOU HAVE TO GO  
ALONG WITH WHAT HE AND SOME PRIVATE ASSOCIATIONS WANT DONE. I CARE  
ABOUT CHILDREN. I BELIEVE I CARE ABOUT CHILDREN MORE THAN ANYBODY  
IN THIS PLACE. I HAVE CONSTITUENTS WHO ARE CHILDREN. I HAD A YOUNG,  
WHITE CONSTITUENT YESTERDAY WHO IS AUTISTIC. HE IS BARELY AS TALL AS  
THIS TABLE, AND HE WANTED TO SEE ME. AND HIS MOTHER BROUGHT ME A  
BOUQUET OF YELLOW ROSES, WHICH I DIDN'T BRING ON THE DESK AS A

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DISPLAY. BUT I WOULD NOT AGREE TO WHAT THAT MAN IS TALKING ABOUT DOING IF IT MEANT CORRUPTING THE SYSTEM OF GOVERNMENT. THERE ARE OTHER WAYS TO ACHIEVE IT. WE HAVE AN OBLIGATION TO PROTECT THE INTEGRITY OF THE GOVERNMENT OF WHICH WE ARE PARTS, AND I DON'T CARE WHAT KIND OF TEAR-JERKING STORY IS BROUGHT HERE. I'M GOING TO DO MY JOB. SOME PEOPLE WHO ARE CATHOLICS... [LB47]

SENATOR KRIST: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...ADMIRE SIR THOMAS MORE. AND I'M GOING TO GIVE A LITTLE ANECDOTE ABOUT HIM TO MAKE A POINT. BUT I'M PREPARED TO STAY ON THIS BILL AND GIVE THE SPEAKER THE OPPORTUNITY TO LET US SEE HOW HIS NEW DECREE ABOUT HOW LONG SOMETHING CAN BE DISCUSSED BEFORE CLOTURE IS INVOKED, BUT THE INVOCATION OF CLOTURE DOES NOT NECESSARILY MEAN THAT THE VOTE WILL BE SUCCESSFUL. BUT WHEN I HAVE AN ISSUE LIKE THIS, I BELIEVE IT'S INTERTWINED WITH EVERYTHING WE DO THIS SESSION, SO I'LL BE USING OTHER BILLS TO HELP ME DEFEAT THIS. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. THOSE STILL WISHING TO SPEAK: SENATOR BRASCH, WATERMEIER AND CHAMBERS. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB47]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I STAND IN SUPPORT OF THE AMENDMENTS AND THIS BILL. I UNDERSTAND THE PASSION AND THE CONCERNS THAT ARE EXPRESSED AND ADAMANTLY PUT FORTH BY MY FELLOW COLLEAGUES, AND I RESPECT THAT. BUT I ALSO RESPECT THAT WHAT THIS BILL CAN, WILL, AND DOES DO IS AT THE END OF SOMEONE'S TRAGIC ENDING OF THEIR LIFE, THAT THEY, THEIR FAMILY, HAVE AN OPPORTUNITY TO SAVE THE LIFE OF ANOTHER. I HAVE A VERY CLOSE FRIEND WHO WAS A CONSTITUENT UNTIL REDISTRICTING, AND SHE ATTENDS THE ANNUAL REUNIONS OF THOSE WHOSE LIVES WERE SAVED BY A TRANSPLANT. RIGHT AFTER HER DAUGHTER WAS BORN SHE DISCOVERED THAT SHE HAD AN ILLNESS THAT REQUIRED A TRANSPLANT, AND THAT WAS THE ONLY THING THAT WAS GOING TO SAVE HER LIFE. SOMEONE'S TRAGIC END GAVE HER THAT ORGAN SHE NEEDED. SHE WAS ABLE TO SEE HER DAUGHTER OFF TO KINDERGARTEN, ALL THE WAY THROUGH HIGH SCHOOL, THROUGH COLLEGE, BE AT HER WEDDING, AND THERE ISN'T A DAY THAT GOES BY THAT SHE IS NOT GRATEFUL. SHE IS SO GRATEFUL FOR THE ORGAN DONOR, AND SHE'S ONE OF

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MANY THAT ARE GRATEFUL THAT SOMEONE HAD THE ABILITY AND THE KNOWLEDGE THAT AT THE END OF THEIR LIFE THEY COULD SAVE ANOTHER. AS FAR AS PROTECTING ANY RIGHTS OR FREEDOMS OR THE QUESTION THAT'S BROUGHT INTO HERE BECAUSE IT'S A PRIVATE ORGANIZATION, THOSE PRIVATE ORGANIZATIONS REPRESENT THE SECOND HOUSE, THE PEOPLE ACROSS THE STATE. THEY REPRESENT INDIVIDUALS. MANY OF OUR BILLS ARE BROUGHT HERE BY AN ORGANIZATION BECAUSE THEY HAVE MEMBERS THAT HAVE A BELIEF OR WANT TO SEE A CERTAIN CHANGE OR WANT TO MAKE THINGS BETTER. I THINK THIS IS ONE OF THOSE BILLS THAT IF WE CAN SAVE ANOTHER LIFE OR TWO, WHATEVER THE SMALL PERCENTAGE IS, THAT'S MORE LIVES SAVED. SO I DO WANT TO THANK SENATOR WATERMEIER FOR STANDING IN THE LINE OF FIRE ON THIS BECAUSE WE ARE HEARING IT, BUT I THINK THERE'S MANY OTHERS WHO ARE NOT HERE ON THE FLOOR, AND MAYBE THERE'S SOMEONE ON THE FLOOR WHO IS A RECIPIENT OF AN ORGAN THAT THEY DESPERATELY NEEDED TO CONTINUE THEIR LIFE THAT THEIR FAMILIES ARE GRATEFUL FOR. AND SHOULD WE NEED TO DEBATE THIS FOR THE FULL LENGTH OF TIME, THOSE ARE THE RULES. THAT'S WHAT WE CAN DO, BUT AT THIS POINT I WANT FELLOW COLLEAGUES TO THINK LONG AND HARD THAT IF SOMEONE MAKES A CHOICE NOT TO ANSWER, THAT IS FINE, AND THEY CAN ANSWER YES OR NO--QUITE SIMPLE. THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. [LB47]

SENATOR KRIST: THANK YOU, SENATOR BRASCH. SENATOR WATERMEIER, YOU ARE RECOGNIZED. [LB47]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. I JUST WANT TO CONFIRM WHAT SENATOR BLOOMFIELD HAD ASKED ME A QUESTION ABOUT, I THINK GETTING BACK TO THE 8 PERCENT. IF I WERE TO JUST DO THE ROUGH CALCULATION IN MY MIND, THERE'S 750,000 THAT ARE ON THE REGISTRY TODAY. THEIR CALCULATION BETWEEN 5 AND 10 PERCENT IS GOING TO INCREASE, SO THEY'RE THINKING ABOUT 47,000 MORE PEOPLE WOULD POSSIBLY BE ON THE REGISTRY TODAY IF THE QUESTION WAS MANDATORY, JUST BASED OFF OF THE SURROUNDING STATES, EXCLUDING IOWA, OF WHAT THEY ARE DOING. WE'RE JUST HAVING AN AVERAGE SAYING THAT. SO THAT'S TO ANSWER YOUR QUESTION ABOUT THE 8 PERCENT. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR WATERMEIER. MR. CLERK. [LB47]

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CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO BRACKET LB47 UNTIL APRIL 20 OF 2016. [LB47]

SENATOR KRIST: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB47]

SENATOR CHAMBERS: THANK YOU, PR PRESIDENT. MEMBERS OF THE LEGISLATURE, AND TO SENATOR BRASCH, SHE DOES NOT UNDERSTAND WHAT I'M SAYING AND WHY. ALL OF US CAN GIVE STORIES AND ANECDOTES OF THE KIND SHE GAVE. WE'RE NOT TALKING ABOUT ORGAN DONATION. WE'RE NOT TALKING ABOUT SAVING LIVES. WE'RE NOT TALKING ABOUT APPROPRIATING MONEY TO THE UNIVERSITY OR ANY ENTITY THAT PERFORMS ORGAN TRANSPLANTS. WE'RE NOT TALKING ABOUT MONEY FOR RESEARCH. WE ARE TALKING ABOUT STATE PROCESSES AND PROCEDURES. EVERYBODY OF A CERTAIN AGE HAS THE RIGHT TO APPLY FOR A DRIVER'S LICENSE. THAT SHOULD NOT BE MIXED UP WITH WHAT SENATOR WATERMEIER, SENATOR BRASCH, AND OTHERS ARE TRYING TO DO HERE. WHETHER OR NOT YOU SUPPORT THIS HAS NOTHING DO WITH WHETHER YOU SUPPORT ORGAN TRANSPLANTS OR NOT. THERE'S SOME PEOPLE WHOSE RELIGION PROHIBITS THEM FROM DOING THAT. THEY CAN'T EVEN GIVE OR ACCEPT BLOOD TRANSFUSIONS. AND TO GO TO SOME PROFESSOR AT CREIGHTON AND GET HIS OPINION, AND THAT'S SUPPOSED TO DETERMINE HOW I'M GOING TO BEHAVE, IS NOT GOING TO CUT ICE WITH ME. HERE'S THE ANECDOTE ON SIR THOMAS MORE. THERE WAS A KING WHO WANTED TO GET RID OF HIS WIFE, AND HE WANTED PEOPLE TO SAY THAT IT WAS ALL RIGHT. PEOPLE LINED UP BEHIND THE KING, BUT THOMAS MORE WOULD NOT. SO THERE WAS A CONVENING OF FOUR OR FIVE PEOPLE, HIGH-PLACED INDIVIDUALS. CROMWELL WAS PROBABLY ONE OF THEM. A COUPLE OF BISHOPS, THEY WORE HIGH LITTLE POINTY HATS, AND A DUKE OR TWO, TO TRY TO PERSUADE SIR THOMAS MORE TO SIGN A PETITION IN FAVOR OF WHAT THE KING WAS DOING. AND SIR THOMAS MORE SAID, I WON'T SIGN THE PETITION. AND THE DUKE WHO WAS HIS FRIEND, AND I'VE TOLD THIS BEFORE, SAID, COME ON, SIR THOMAS, WHY WON'T YOU SIGN IT? EVERYBODY HAS SIGNED THE SO-AND-SO THING. AND SIR THOMAS MORE SAID, WELL, IF EVERYBODY HAD SIGNED IT, WHY DO YOU NEED MY SIGNATURE? THE DUKE SAID, SIR THOMAS, NOT ONLY ARE YOU A RIGHTEOUS MAN, BUT YOU ARE SEEN TO BE A RIGHTEOUS MAN. GIVE YOUR SIGNATURE, MAN. IT WON'T MEAN ANYTHING. AND AT THAT, THE EYEBROWS OF THESE OTHER SANCTIMONIOUS PEOPLE ROSE, BUT THEY DIDN'T COMMENT. AND SIR THOMAS DIDN'T SAY ANYTHING, SO THE DUKE SAID, SIGN IT FOR FELLOWSHIP'S SAKE, WHICH IS WHAT SENATOR BRASCH AND SENATOR WATERMEIER ARE ASKING YOU ALL TO DO. AND SIR THOMAS SAID: IF YOU SIGN THE PETITION, YOU ARE NOT VIOLATING YOUR CONSCIENCE. IF I SIGN THE

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PETITION, I AM VIOLATING MY CONSCIENCE. AND WHEN WE BOTH STAND BEFORE GOD TO BE JUDGED AND YOU ARE ALLOWED TO ENTER HEAVEN BECAUSE YOU DID NOT VIOLATE YOUR CONSCIENCE, AND I AM TOLD THAT I AM CONSIGNED TO HELL BECAUSE I VIOLATED MINE, WOULD YOU THEN ACCOMPANY ME TO HELL FOR FELLOWSHIP'S SAKE? AS THEY CONTINUED THEIR LITTLE BACK-AND-FORTH, THOMAS FINALLY TOLD HIM, I WILL NOT SIGN, AND I WILL NOT TELL YOU WHY I WILL NOT SIGN. SO WHAT THESE BUSYBODY, PURITANICAL HYPOCRITES ARE TELLING YOU, WE JUST WANT TO MAKE YOU SAY SOMETHING. WE'RE NOT GOING TO MAKE YOU SAY YES OR NO. WHAT WE WANT TO FORCE YOU TO DO IS LOOK AT THIS MESS ON THIS DOCUMENT. SO BECAUSE WE HAVE NO PRINCIPLES, WE HAVE NO SCRUPLES, WE HAVE NO INTEGRITY, WE'RE GOING TO GIVE YOU A CHANCE TO JOIN OUR HYPOCRITES CLUB AND WE'LL PUT THESE WORDS, "I CHOOSE NOT TO ANSWER," WHICH IN ITSELF IS AN ANSWER. AND WHEN YOU ARE COMPELLED TO DO SOMETHING UNDER PAIN OF BEING DEPRIVED OF AND DENIED A RIGHT, THAT IS FORCED SPEECH. AND THAT PERSON AT CREIGHTON, I DON'T CARE WHAT HIS TITLE IS, PROFESSOR OF CONSTITUTIONAL LAW. THAT'S WHY HE'S NOT A JUDGE, HE'S STUPID. YOU ALL ARE NOT TRAINED IN THE LAW. BUT YOU ALL USING YOUR COMMON SENSE UNDERSTAND THAT IF THE STATE TELLS YOU, WE DON'T CARE WHAT YOUR POSITION ON THIS ONE WAY OR THE OTHER, BUT YOU MUST ANSWER, IS THAT NOT COMPELLED SPEECH? YOU ARE COMPELLED BY THE STATE TO SPEAK, AND IF YOU DON'T YOU ARE PUNISHED BY THE STATE. YOU ARE DEPRIVED OF A RIGHT. YOU ARE DEPRIVED OF A RIGHT WHICH THE LAW GRANTS TO YOU. AND THE REASON I BROUGHT UP THESE PRIVATE ASSOCIATIONS IS BECAUSE NONE OF THIS IS DONE TO ADVANCE THE INTERESTS OF THE STATE. THE STATE HAS NO COMPELLING INTEREST IN THIS AT ALL. SENATOR BRASCH AND SENATOR WATERMEIER BELONG TO THAT UNETHICAL SCHOOL THAT HOLDS THAT THE END JUSTIFIES THE MEANS. IF IT'S AN END THAT IS DEEMED TO BE GOOD, ANY MEANS THAT YOU USE TO GET THERE IS SANCTIFIED BY THE END, AND WHAT WOULD ORDINARILY BE REPREHENSIBLE SUDDENLY BECOMES ALL RIGHT BECAUSE WHAT YOU'RE TRYING TO ACHIEVE IS ALL RIGHT. AND THAT'S WHAT I'M BEING TOLD BY PEOPLE WHO COME IN HERE AND PRAY EVERY MORNING WHO ARE SUPPOSED TO HAVE SO MUCH UNDERSTANDING ABOUT RIGHT AND WRONG, AND I'M LISTENING TO THEM. WE TOOK AN OATH TO UPHOLD THE CONSTITUTION AND THE LAWS. AND THOSE WHO TAKE THEIR JOB SERIOUSLY KNOW THAT THERE'S MORE TO THE LAW THAN JUST THE WORDS WRITTEN. BUT GOING BY THE WORDS OF THE LAW, YOU WILL DEPRIVE PEOPLE OF A RIGHT. NOW, YOU THINK I CAN'T TALK ABOUT THIS SUBJECT FOR SIX HOURS BY MYSELF IF NOBODY ELSE STANDS AND NOBODY OPENS HIS OR HER MOUTH? I ASSURE YOU I CAN, AND I WISH YOU WOULD

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CHALLENGE ME. OH, THERE ARE SO MANY THINGS I CAN TELL YOU THAT I LEARNED GOING TO WHITE PEOPLE'S SCHOOLS. AND WHEN I WAS YOUNGER I TOOK SERIOUSLY WHAT THEY SAID. I THOUGHT THEY BELIEVED WHAT THEY WERE TELLING ME. I THOUGHT WHEN THEY TAUGHT ME THINGS IN LAW SCHOOL ABOUT HE WHO SEEKS EQUITY MUST COME WITH CLEAN HANDS, I THOUGHT THEY MEANT THAT. THEN THE LAW SCHOOL BEHAVES IN A WAY THAT VIOLATES THAT PRINCIPLE. AND AFTER TAKING AN OATH TO UPHOLD THE LAW, THESE PEOPLE WHO DON'T UNDERSTAND THE LAW, HAVE NO RESPECT FOR THE CONSTITUTION, HAVE NO RESPECT FOR THE CITIZENS, ARE GOING TO SAY, WELL, THIS WILL HELP SOME PEOPLE GET ORGAN TRANSPLANTS. NOBODY SHOULD BE COMPELLED TO ADOPT THE SAME ATTITUDE SENATOR WATERMEIER AND SENATOR BRASCH HAVE ABOUT THIS PARTICULAR ISSUE. SOME PEOPLE THINK THAT IT IS A SIN TO DESECRATE THEIR BODY. AND THE LAW MAKES IT A SIN TO MUTILATE A CORPSE, BUT IF YOU CALL IT BY A DIFFERENT NAME AND IT'S DONE FOR A GOOD PURPOSE, THEN IT'S PRAISED. THERE WERE TWO FELLOWS NAMED BURKE AND HARE. THEY WERE NOTORIOUS GRAVEROBBERERS AND THEY WENT TO GRAVES AND TOOK THOSE CORPSES. AND THEY DID NOT TAKE THEM TO WORSHIP WITH OR TO PERFORM SOME KIND OF PERVERSION, THEY TOOK THEM TO SURGEONS AND MEDICAL SCHOOLS SO THAT INFORMATION COULD BE OBTAINED ABOUT THE HUMAN BODY, BUT IF THEY WERE CAUGHT THEY'D BE HANGED. BUT IF THEY HAD NOT DONE THAT, AND IF THERE HAD NOT BEEN THIS WAY OF PROCURING BODIES, THEN THESE KIND OF ORGAN TRANSPLANTS THAT ARE BEING DISCUSSED COULD NOT EVEN BE DONE. YOU ALL DON'T READ ANYTHING. YOU DON'T KNOW ANYTHING ABOUT HISTORY. YOU DON'T KNOW HOW YOU CAME TO WHERE YOU ARE TODAY, SO YOU DON'T UNDERSTAND THE ISSUES THAT WE'RE TALKING ABOUT. AND I AM GOING TO TAKE ISSUE WITH THIS BILL, AND IF WE FINISH THIS BILL TODAY,... [LB47]

SENATOR KRIST: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...BY THAT I MEANT WE GO SIX HOURS AND YOU INVOKE CLOTURE, I'M GOING TO TAKE SIX HOURS ON THE NEXT BILL AND MAYBE THE NEXT ONE, AND THAT IS HOW WE'RE GOING TO LEGISLATE. IF YOU HAVE SO LITTLE RESPECT FOR THE LAW, THEN I WILL SHOW THE SAME LACK OF RESPECT FOR YOUR RULES OR THE LITTLE BILLS YOU'RE TRYING TO GET ENACTED. WHAT DO THEY MEAN WHEN ON ONE SIDE OF THE SCALE WE HAVE A BILL THAT YOU WANT, AND ON ANOTHER SIDE OF THE SCALE THE RIGHTS OF THE CITIZENS? AND I THOUGHT CONSERVATIVES ARE THE ONES ALWAYS TALKING ABOUT NO OVERREACHING BY THE GOVERNMENT, NO REACHING INTO THE LIVES OF THE CITIZENS, NO COMPELLING THEM TO TAKE A POSITION. THEN SENATOR

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WATERMEIER IS GOING TO BRING SOMETHING TO US FROM SOME QUACK LAWYER, A SHYSTER WHO SAYS THAT SPEECH IS NOT BEING FORCED. IT IS FORCED, BUT MAYBE HE DOESN'T KNOW THE MEANING OF FORCED. WHEN I GET A CHANCE, I'M GOING TO ASK WATERMEIER, "DR." WATERMEIER, IF THIS LAWYER SPEAKS ENGLISH. [LB47]

SENATOR KRIST: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. (DOCTOR OF THE DAY INTRODUCED.) THOSE WISHING TO SPEAK: SENATOR HILKEMANN, HUGHES, BLOOMFIELD, SCHUMACHER, AND OTHERS. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB47]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. SENATOR WATERMEIER, WOULD YOU YIELD TO A QUESTION? [LB47]

SENATOR KRIST: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR HILKEMANN: YOU SAID THAT WITH THIS AMENDMENT, AND THE CHANGES, THAT YOU'RE HOPEFUL OF INCREASING THE DONOR BANK BY 7 PERCENT TO 8 PERCENT. IS THAT CORRECT? [LB47]

SENATOR WATERMEIER: CORRECT. [LB47]

SENATOR HILKEMANN: ARE THERE ANY STUDIES THAT IF WE DID NOT MAKE THIS A MANDATORY QUESTION BUT WE HAD TO HAVE...THAT PEOPLE WOULD AT LEAST HAVE TO MAKE A CHOICE OF YES, NO, OR NOT, HAVE THERE BEEN ANY STUDIES ABOUT HOW THAT MAY INCREASE OR DECREASE THE NUMBER OF PEOPLE WHO WOULD POSSIBLY SIGN UP FOR DONOR? [LB47]

SENATOR WATERMEIER: WELL, WE DID NOT DO A FORMAL STUDY. WE'RE JUST GOING BY...I THINK WHAT YOU'RE SUGGESTING IS THAT WE CHANGE NOTHING, THAT IT STAYS AN OPTIONAL QUESTION. [LB47]



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SENATOR HILKEMANN: I THINK THE OPTIONAL QUESTION NOW IS IF YOU WANT TO BE AN ORGAN DONOR. I DON'T...DOES IT SAY YES, NO, AT THE PRESENT TIME? [LB47]

SENATOR WATERMEIER: IT SAYS YES OR NO, BUT IT'S OPTIONAL. [LB47]

SENATOR HILKEMANN: RIGHT, RIGHT. [LB47]

SENATOR WATERMEIER: ON THE DRIVER'S LICENSE APPLICATION, IT'S MY UNDERSTANDING, THERE'S ABOUT EIGHT MANDATORY QUESTIONS MAINLY DEALING WITH PHYSICAL ABILITIES AND THEN THERE'S ABOUT THREE OR FOUR OPTIONAL QUESTIONS. AND THIS WOULD MOVE FROM BEING AN OPTIONAL QUESTION TO A MANDATORY QUESTION. AND THROUGH THE DEBATE THAT WE HAD LAST YEAR ON THE FLOOR AND IN THE LOBBY, WE DECIDED TO MOVE THE OPTIONAL QUESTION OF, WOULD YOU LIKE MORE INFORMATION ABOUT BECOMING AN ORGAN DONOR, IN FRONT OF THIS MANDATORY QUESTION. SO THE FIRST QUESTION THEY'RE GOING TO SEE IS IN RELATION TO THESE TOPICS ARE GOING TO BE, WOULD YOU LIKE TO SEE MORE INFORMATION FROM THE NORS ORGANIZATION? [LB47]

SENATOR HILKEMANN: OKAY. THANK YOU VERY MUCH, SENATOR WATERMEIER. THIS IS A...I CAN UNDERSTAND THE WHOLE THING OF MAKING THIS A MANDATORY-TYPE QUESTION. THE REAL CONCERN I HAVE IS IF WE COULD GET...IF THIS IS GOING TO INCREASE THE NUMBER OF PEOPLE WHO WOULD BE ORGAN DONORS BY 7 PERCENT, I THINK IT'S SOMETHING THAT WE REALLY NEED TO TAKE A LOOK AT. I THINK SOMETIMES WE DON'T LIKE TO ADDRESS OUR MORTALITY, AND WE DON'T LIKE TO THINK ABOUT THIS WHOLE THING. SEVERAL YEARS AGO MY WIFE WAS FIRST ON A SCENE OF AN AUTO ACCIDENT NOT TOO FAR FROM OUR NEIGHBORHOOD AND IT INVOLVED A YOUNG PERSON WHO UNFORTUNATELY EXPIRED. WE DIDN'T KNOW THIS INDIVIDUAL. WE JUST FOUND OUT ABOUT IT; SHE CAME ON IT. WE WENT TO THE FAMILY, AND MY WIFE AND THIS FAMILY HAVE HAD AN ONGOING CONTACT. THEY WERE SO APPRECIATIVE THAT MY WIFE WAS WITH HIM WHEN HE PASSED AWAY. BUT HE WAS AN ORGAN DONOR, AND ONE OF THE THINGS THAT THEY'VE SHARED IS HOW MUCH IT MEANS TO THEM THAT HE...FOUR OR FIVE LIVES, INDIVIDUALS, HAVE BETTER LIVES, EVEN IN THEIR PAIN. I LOST MY BROTHER A YEAR AGO. HIS ORGANS ARE NOW BEING UTILIZED BY OTHER PEOPLE. I THINK THAT IF THIS...EVEN THOUGH IT FORCES US TO MAKE A DECISION, THERE'S A LOT OF TIMES WE HAVE TO MAKE DECISIONS IN OUR LIFE, SO I THINK IF WE CAN GET 7

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PERCENT MORE ORGAN DONORS, I'M WILLING TO SUPPORT THIS LEGISLATION. THANK YOU. [LB47]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN. SENATOR HUGHES, YOU ARE RECOGNIZED. [LB47]

SENATOR HUGHES: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I RISE IN OPPOSITION TO THE BRACKET MOTION. I THINK THIS IS A BILL THAT WE NEED TO HAVE A GOOD DISCUSSION ON. I'D LIKE TO ASK SENATOR WATERMEIER A QUESTION IF HE WOULD YIELD. [LB47]

SENATOR KRIST: SENATOR WATERMEIER, WILL YOU YIELD TO A QUESTION, PLEASE? [LB47]

SENATOR WATERMEIER: YES, MR. PRESIDENT. [LB47]

SENATOR HUGHES: ARE THE PRIVATE ORGANIZATIONS THAT BROUGHT THIS BILL TO YOU, ARE THEY PROFIT OR NONPROFIT? [LB47]

SENATOR WATERMEIER: YOU KNOW, I NEVER ASKED THE QUESTION. NEVER HAD A THOUGHT TO. I GUESS I COULDN'T ANSWER, BUT I'LL FIND OUT. [LB47]

SENATOR HUGHES: YEAH. I GUESS ON INITIAL BLUFF, OR INITIAL THOUGHT, THAT THEY WOULD BE NONPROFIT, BUT I WAS JUST CURIOUS. I CAN'T BELIEVE THAT THEY WOULD BE PROFITING FROM THIS. THEY MAY RECOVER THEIR EXPENSES FOR COORDINATION. BUT IF YOU COULD FIND THAT OUT THAT WOULD BE GOOD. THE QUESTION OF THE AGE OF THE INDIVIDUAL HAVING TO MAKE THIS DETERMINATION WHEN THEY TAKE THE TEST HAS COME UP, AND QUITE FRANKLY, PERSONALLY, I BELIEVE THAT IF WE'RE GIVING THE PRIVILEGE OR RIGHT, WHATEVER YOU CALL IT, TO HAVE A DRIVER'S LICENSE, THEY'RE CERTAINLY OLD ENOUGH TO MAKE THAT DECISION. IF THEY'RE OLD ENOUGH TO GET BEHIND THE WHEEL OF A CAR, DRIVE 75 MILE AN HOUR DOWN THE INTERSTATE, POTENTIALLY PUTTING NOT ONLY THEMSELVES AT RISK, BUT OTHERS AT RISK, THEY'RE CERTAINLY OLD ENOUGH TO MAKE THIS DETERMINATION. THEY HAVE TO READ THE BOOK IN ORDER TO PASS THE DRIVER'S LICENSE TEST. THAT INFORMATION SHOULD BE IN THAT MANUAL TO STUDY FOR THE TEST THAT THEY CAN HAVE THAT TO THINK ABOUT AND MAKE THEIR CHOICE. DOES THIS...SENATOR WATERMEIER, ANOTHER QUESTION FOR

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YOU, PLEASE. IF THIS SHOULD PASS, WOULD IT PERTAIN TO ALL DRIVER'S LICENSES IN THE STATE OF NEBRASKA, CDLS, MOTORCYCLE, THE WHOLE GAMUT? [LB47]

SENATOR WATERMEIER: YES, AND STATE ID CARDS. [LB47]

SENATOR HUGHES: YEAH, OKAY. I GUESS I UNDERSTAND SENATOR CHAMBERS' COMMENTS ABOUT THIS IS NOT BEING A GOOD IDEA. WE'RE FORCING PEOPLE TO MAKE A DECISION, BUT WE IN THIS BODY MAKE DECISIONS THAT AFFECT THE STATE CITIZENRY EVERY DAY. WHEN WE VOTE TO RAISE TAXES, WE'RE MAKING A DECISION THAT AFFECTS EVERYONE. AND EVEN TEENAGERS WHEN WE DEAL WITH CIGARETTE TAXES OR SALES TAXES, WE'RE MAKING DECISIONS THAT AFFECT THEM ON A DAILY BASIS. I THINK WE HAVE AN OPPORTUNITY HERE TO HAVE PEOPLE THINK ABOUT THE GOOD THAT THEY COULD DO, SHOULD THEY BE IN AN ACCIDENT TO BE IN THAT SITUATION. IT'S NOT SOMETHING I REMEMBER WHEN I WAS YOUNG AND HAD TO MAKE THAT DECISION, AND I THINK IT'S GOOD THAT WE HAVE THAT OPPORTUNITY WHEN WE TAKE OUR DRIVER'S LICENSE TEST TO HAVE THAT THOUGHT BECAUSE IT CAN BE VERY BENEFICIAL. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR HUGHES. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, I DID DROP AN AMENDMENT THAT WOULD CHANGE THAT AGE FROM 16 TO 21. ACTUALLY, PRIOR TO 16 IT'S PRETTY MUCH IRRELEVANT. YOU CAN'T GET A DRIVER'S LICENSE UNTIL YOU'RE 16. SO PUTTING THAT 16 AGE LIMIT ON THERE IS LESS THAN NECESSARY. I THINK AT 21 YOU'RE MORE CAPABLE OF MAKING THAT DECISION. BUT I DID THAT WITH FEAR OF MAKING WHAT I CONSIDER A BAD BILL BETTER. I DON'T BELIEVE WE SHOULD BE FORCING PEOPLE TO MAKE THAT DECISION. IF SENATOR WATERMEIER WOULD YIELD TO A QUESTION, I WOULD HAVE ONE OR TWO MORE. [LB47]

SENATOR KRIST: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES. [LB47]

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SENATOR BLOOMFIELD: THANK YOU, SENATOR. DO WE CURRENTLY FORCE OR REQUEST THAT THE PEOPLE CREATING THE DRIVER'S LICENSE FOR YOU ASK ABOUT THIS WITHOUT MANDATING AN ANSWER? DOES THE LADY AT THE COURTHOUSE OR GENTLEMEN AT THE COURTHOUSE ASK THE APPLICANT, WOULD YOU LIKE TO DONATE? IS THAT UNDER STATUTE? BECAUSE THERE WE WOULD BE DEALING WITH A STATE EMPLOYEE INSTEAD OF AN OPEN CITIZEN. [LB47]

SENATOR WATERMEIER: I WOULD ANSWER THAT QUESTION THAT NO ONE IS ASKING THEM VERBALLY. I BELIEVE IT'S ALL ON A PAPER. IT'S AN APPLICATION PROCESS. AND THERE'S A LIST OF MANDATORY QUESTIONS AND THEN THERE'S A LIST OF OPTIONAL QUESTIONS. AND I CAN GO GET AN APPLICATION AND BRING IT SO WE'D HAVE IT AVAILABLE. IT LOOKS LIKE WE'LL BE HERE UNTIL 4:49 TONIGHT, SO WE'LL HAVE TIME TO TALK ABOUT IT. [LB47]

SENATOR BLOOMFIELD: OKAY. I FIND MYSELF WONDERING IF IT WOULDN'T JUST BE EASIER IF WE JUST MANDATED THAT STATE EMPLOYEE OR COUNTY EMPLOYEE TO ASK THAT QUESTION, AND I WOULD FIND MYSELF WONDERING IF MAYBE WE WOULDN'T GET A BIGGER RESPONSE THERE RATHER THAN TO FORCE AN INDIVIDUAL TO ANSWER THAT QUESTION AT THAT TIME IN WRITING. [LB47]

SENATOR WATERMEIER: CAN I ANSWER THAT? [LB47]

SENATOR BLOOMFIELD: ABSOLUTELY. [LB47]

SENATOR WATERMEIER: I DID GET A RESPONSE BACK FROM THE DEPARTMENT AND THEY SAID IF THE PERSON CHOOSES NOT TO ANSWER YES OR NO, THE DEPARTMENT EMPLOYEE WILL FILL OUT THE PERSON CHOSE NOT TO ANSWER, SO IT'S GOING TO CONTINUE ON IN THE PROCESS. I GOT A RESPONSE FROM THE DEPARTMENT IN THAT REGARD. [LB47]

SENATOR BLOOMFIELD: SO WILL THAT INDIVIDUAL BE ABLE TO GET HIS DRIVER'S LICENSE IF HE SAYS, I'M NOT GOING TO ANSWER? [LB47]

SENATOR WATERMEIER: YES. YEAH. [LB47]

SENATOR BLOOMFIELD: IS THAT IN THE BILL OR IN...? [LB47]

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SENATOR WATERMEIER: IT'S IN RESPONSE FROM THE AGENCY. IT'S NOT REALLY NECESSARILY IN THE BILL. THE BILL IS GOING TO STAY THE WAY IT IS. [LB47]

SENATOR BLOOMFIELD: DO YOU THINK IT SHOULD BE IN THE BILL? [LB47]

SENATOR WATERMEIER: NO. [LB47]

SENATOR BLOOMFIELD: THEN TO ME IT CARRIES NO WEIGHT IF IT'S NOT IN THE LEGISLATION ENACTING YOUR CHANGE. SO THERE WILL PROBABLY BE ANOTHER AMENDMENT COMING ALONG THOSE LINES. [LB47]

SENATOR WATERMEIER: I COULD EXPAND A LITTLE BIT ON YOUR AGE LIMITATIONS IF YOU WANT ME TO. [LB47]

SENATOR BLOOMFIELD: IF YOU WOULD. [LB47]

SENATOR WATERMEIER: I'LL PRINT OFF A SHEET AND GIVE THAT TO YOU FOR THE OTHER STATES WHAT THEY HAVE FOR MINIMUM AGE. IT RANGES FROM 13 TO 21 AS FAR AS MINIMUM AGE OF ORGAN DONATION DECISION. I THINK...THERE COULD BE A DISCUSSION NOT ON A DRIVER'S LICENSE BUT ON A STATE ID TO WHERE A 14- OR 15-YEAR-OLD WOULD HAVE THE OPPORTUNITY TO GET A STATE ID. AND OBVIOUSLY IN NEBRASKA, WE HAVE THESE PROVISIONAL DRIVER'S LICENSES AND WE DIDN'T WANT TO EXCLUDE THAT POPULATION SO THEY WOULD NOT HAVE TO ANSWER THE QUESTION YES OR NO. SO ON THE SCHOOL PERMITS AND THE LEARNER PERMITS THEY WOULD NOT HAVE TO BE MANDATORY TO ASK THAT, THE QUESTION. [LB47]

SENATOR BLOOMFIELD: I THINK YOUR RESPONSE RIGHT THERE IS THE KEY TO THE WHOLE PROBLEM THAT I SEE. YOU SAY, "WOULD HAVE THE OPPORTUNITY." I'M NOT BEYOND GIVING THEM THE OPPORTUNITY. I THINK THAT'S A WONDERFUL IDEA. BUT WE ARE NOT JUST GIVING THEM THE OPPORTUNITY, WE ARE FORCING THEM VIA STATE LAW TO MAKE THAT DECISION. THAT IS NO LONGER AN OPPORTUNITY. THAT IS A FORCED ISSUE AT THIS POINT. MR. PRESIDENT, I'D YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. [LB47]

SENATOR KRIST: SENATOR CHAMBERS, ONE MINUTE. [LB47]

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SENATOR CHAMBERS: THANK YOU, AND ABOUT ONE MINUTE IS ALL IT TAKES FOR ME TO DEAL WITH WHAT SENATOR HUGHES SAID. THE PROBLEM IS WHEN YOU HAVE WELL-INTENTIONED PEOPLE LIKE SENATOR HUGHES WHO DON'T KNOW THE LAW OR UNDERSTAND THE LAW TRYING TO BRING THEIR LACK OF KNOWLEDGE TO ANSWER A LEGAL QUESTION. HE SAID WE PASS LAWS THAT REQUIRE PEOPLE TO DO THINGS. WE CERTAINLY DO. BUT IF YOU HAVE A LAW THAT'S QUESTIONED AND YOU CANNOT SHOW A COMPELLING STATE INTEREST FOR IT, IT'S STRUCK DOWN. WHEN IT COMES TO TAXES, YES, THEY'RE MANDATED BECAUSE THERE'S A COMPELLING STATE INTEREST IN THE PAYING OF TAXES, BUT YOU ARE NOT REQUIRED TO ANSWER ANY KIND OF QUESTION BEFORE YOU PAY YOUR TAXES, OR IF YOU'RE NOT GOING TO PAY YOUR TAXES. YOU HAVE TO DO THIS, AND IF YOU DON'T, THERE ARE CERTAIN CONSEQUENCES, BUT YOU DON'T HAVE TO SAY ANYTHING. EVERYTHING SENATOR HUGHES SAID WAS OFF THE MARK, BUT THAT'S THE WAY YOU'RE GOING TO DISCUSS THIS ISSUE: IGNORANT PEOPLE ON THE SUBJECT TALKING TO IGNORANT PEOPLE WHO DON'T KNOW ANYTHING, THEN GIVING AN IGNORANT VOTE BECAUSE THEY FEEL A CERTAIN WAY. WELL, I HAVE TO DEAL WITH IT AND I INTEND TO. THANK YOU, SENATOR BLOOMFIELD. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD, SENATOR WATERMEIER, AND SENATOR CHAMBERS. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB47]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. THIS IS GOING TO BE SUCH A FUN DAY. WE GET TO TALK ABOUT CONSTITUTIONAL ISSUES, FREEDOM OF SPEECH, THE MODERN BIOLOGY OF TRANSPLANTS. WE'RE GOING TO GET, MAYBE IF WE'RE LUCKY, MAYBE NOT, TO TALK ABOUT GAMBLING AND THE ANOMALIES IN OUR GAMBLING LAW, SO MUCH MORE FUN THAN TALKING ABOUT THE QUESTIONABLE FINANCIAL PRACTICES OF THE MUNICIPALITIES OF THE STATE. BUT WE'LL PROBABLY DO THAT LATER SOMETIME ANYWAY. SENATOR WATERMEIER, WOULD YOU ANSWER A QUESTION? [LB47]

SENATOR KRIST: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR SCHUMACHER: THANK YOU, SENATOR WATERMEIER. SENATOR WATERMEIER, THE BASIC OBJECT OF THIS LEGISLATION IS TO GET A SUPPLY OF

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ORGANS FOR PURPOSE OF TRANSPLANT AND TO MAKE THE SURVIVOR'S LIFE BETTER. IS THAT IT? [LB47]

SENATOR WATERMEIER: TO PROVIDE A SUPPLY OF ORGANS IS A LITTLE BIT TROUBLESOME FOR ME. I WOULD SAY WE'RE PUTTING PEOPLE'S NAMES ON AN ORGAN DONOR REGISTRY. [LB47]

SENATOR SCHUMACHER: FOR THE PURPOSE OF SUPPLYING OF THE ORGANS, RIGHT? I MEAN, WHY ELSE GO THROUGH THIS CHARADE? [LB47]

SENATOR WATERMEIER: WELL, IF YOU WANT US TO EXPLAIN IT THAT WAY, YOU COULD ALSO SAY TO IMPROVE THE LIVES OF THOSE RECIPIENTS OF THE DONORS, SO TAKE WHICHEVER EXPLANATION YOU WANT. [LB47]

SENATOR SCHUMACHER: WELL, IT DEPENDS WHICH POLITICAL SPIN YOU PUT ON IT, BUT NEVERTHELESS THAT'S THE BOTTOM LINE. [LB47]

SENATOR WATERMEIER: YOU SPIN IT, SENATOR CHAMBERS WILL SPIN IT. [LB47]

SENATOR SCHUMACHER: OKAY. SO THAT'S...AND THE STATE HAS AN INTEREST IN THIS WHY? [LB47]

SENATOR WATERMEIER: THEY WOULDN'T HAVE AN INTEREST IN THIS DIRECTLY OTHER THAN IT'S A PRIVILEGE TO DRIVE ON THESE ROADS THAT THE STATE HAS CREATED, IT'S NOT A RIGHT. AND I WOULD SAY THE STATE IS SOMEWHAT OBLIGATED TO BE INVOLVED BECAUSE THEY ARE HAVING PEOPLE THAT WANT TO DRIVE AND USE THEIR PRIVILEGE ON THESE ROADS, SO THE STATE IS THERE IN THE MIDDLE TO TAKE APPLICATIONS TO PROVIDE THE PRIVILEGE TO DRIVE ON THESE ROADS. SO THE STATE WOULD ALSO BE, I WOULD SAY, INVOLVED IN THE SAFETY OF ITS CITIZENS AND THE WELL-BEING OF ITS CITIZENS. [LB47]

SENATOR SCHUMACHER: WHY DON'T WE APPLY THE SAME PRINCIPLE TO OTHER PRIVILEGES LIKE THE PRIVILEGE TO PRACTICE LAW OR THE PRIVILEGE TO OPEN A BANK ACCOUNT? I MEAN, WHY JUST DRIVER'S LICENSES? [LB47]

SENATOR WATERMEIER: WELL, I WOULD MAKE THE CONNECTION TO THE AUTO ACCIDENTS TO WHERE...I GUESS I SHOULDN'T SAY THERE'S A PERCENTAGE OF AUTO ACCIDENTS THAT WOULD PROBABLY PRODUCE A CERTAIN PERCENTAGE

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OF THE ORGAN DONORS, SO THAT MAY BE A CONNECTION IN THAT REGARD. THAT'S WHY IT'S ON THE DRIVER'S LICENSE ISSUE. [LB47]

SENATOR SCHUMACHER: ISN'T THE STATES, IF WE'RE GOING TO HAVE TO LOOK FOR STATE INTEREST IN GETTING A SUPPLY OF ORGANS, ISN'T THE STATE INTEREST IN ONCE SOMEBODY GETS A TRANSPLANT, IT'S THEY MAY BE CURED OR NEAR CURED OR THEIR MEDICAL COSTS GO DOWN, AND THOSE MEDICAL COSTS IN THOSE EXTREME CASES ARE VERY EXPENSIVE, AND BECAUSE THEY'RE VERY EXPENSIVE, WE HAVE TO PICK UP THE BILL EITHER THROUGH MEDICAL INSURANCE PAYMENTS OR, IN MORE CASES, THROUGH HIGHER STATE-SPONSORED PAYMENTS LIKE MEDICAID? ISN'T THAT OUR REAL INTEREST WHEN WE LOOK AT IT, NOT FROM A STATE INTEREST POINT OF VIEW? [LB47]

SENATOR WATERMEIER: I WOULD SAY, YOU COULD ALMOST SAY, YOU COULD REDUCE PROPERTY TAXES IF YOU WANTED TO GO THAT FAR TO DEFINE IT, BUT I WOULD NOT WANT TO SAY THAT. I'D SAY ALL WE'RE TRYING TO DO IS PROVIDE THAT DONOR REGISTRY. [LB47]

SENATOR SCHUMACHER: I UNDERSTAND YOU'RE NOT TERM LIMITED YET, SO LET'S SAVE THAT. (LAUGHTER) ALL RIGHT. LET ME ASK YOU THIS THEN. DO YOU HAVE A RIGHT TO YOUR BODY AFTER YOU'RE DEAD? [LB47]

SENATOR WATERMEIER: I'M GOING TO SAY THAT RIGHT IS PROBABLY TURNED OVER IN THESE LIVING WILLS AND DIFFERENT THINGS THAT WE HAVE IN PLACE TODAY. BUT I DON'T KNOW THE ANSWER TO THAT. [LB47]

SENATOR SCHUMACHER: A LIVING WILL...ONCE YOU'RE DEAD, YOU'RE DEAD, RIGHT? [LB47]

SENATOR WATERMEIER: WELL, THAT RIGHT WOULD BE PASSED ON THROUGH THE LIVING WILL. [LB47]

SENATOR SCHUMACHER: RIGHT. NOW THE COUNTY CORONER WALKS IN AND SAYS, I WANT THAT BODY CUT OPEN, HE CAN DO THAT, CAN'T HE? [LB47]

SENATOR KRIST: ONE MINUTE. [LB47]



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SENATOR WATERMEIER: NOT UNLESS...I DON'T THINK SO, NOT UNLESS IT'S ON THE LIVING WILL THAT IF HE CAN DONATE HIS BODY FOR ORGAN OR FOR RESEARCH. [LB47]

SENATOR SCHUMACHER: THANK YOU, SENATOR WATERMEIER. IN THE LAST MINUTE, YES, THEY CAN. THE COUNTY ATTORNEY HAS GOT ULTIMATE AUTHORITY OF ALL DEATHS IN THE COUNTY. HE CAN ORDER AN AUTOPSY AGAINST ALL KINDS OF OBJECTIONS. THEY CUT YOU APART, THEY TAKE YOUR ORGANS OUT, THEY WEIGH THEM, THEY DO EVERYTHING, THEY STUFF YOU FULL OF STUFFING AND SOMETIMES IF YOU HAVE A PARTICULAR RELIGIOUS BELIEF, THEY DO THE...FOLLOW YOUR BELIEFS AND PUT THE ORGANS BACK IN KIND OF THE SAME LOCATION THEY WERE. WE'LL GET INTO THIS FURTHER, BUT I THINK WE'RE DEALING WITH SOME INTERESTING ISSUES HERE THAT DEAL WITH THE NEW AGE OF BIOLOGY. AND IT DOESN'T HAVE ANYTHING TO DO WITH DRIVER'S LICENSES. THIS IS THE WRONG WAY TO SOLVE THE PROBLEM. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR SCHUMACHER AND SENATOR WATERMEIER. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB47]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. OH, WHAT A LOVELY DAY WHEN SENATOR SCHUMACHER, THE "QUIZ MAKER," IS GOING TO JUMP INTO THE DIALOGUE HERE. AND THE FACTS ARE CLEAR. WE'RE NOT TRYING TO MAKE ANYONE DO ANYTHING AGAINST THEIR RELIGIOUS BELIEFS, THEIR FAMILY'S CHOICES. THEY DO HAVE AN OPPORTUNITY AT THE END OF THEIR LIFE, NO MORE, THE END OF THEIR LIFE, THAT IF THEY CHOOSE, THEY CAN ACKNOWLEDGE LEGALLY AND IN WRITING, YES, THIS IS WHAT I WANT TO DO, OR, NO, I DON'T WANT TO DO THIS. AND THIRDLY, BASICALLY WE COULD SAY, DON'T ASK ME. BUT INSTEAD WE'RE SAYING, I DON'T WANT TO ANSWER. BUT BY ADDING THIS, DESPITE LAWS AND THE MECHANICS AND GOING INTO AN AREA OF ARMAGEDDON, SENATOR CHAMBERS HAS HIS WAR FACE ON. I SEE HE TURNED AROUND. I CAN READ THAT PERIPHERAL VISION AS HE WILL DO EVERYTHING HE CAN TO STOP THIS. AND HE'S NODDING HIS HEAD. BUT AS SENATORS, WE'VE LEARNED THAT IF WE BELIEVE SOMETHING IS RIGHT FOR THE PUBLIC, AND IS A GOOD THING, THAT AT THE END OF SOMEONE'S LIFE, THAT THAT LITTLE SON OR DAUGHTER OR NEPHEW OR COUSIN OR GRANDCHILD CAN SEE SOMEONE IN THEIR FAMILY, AN OPPORTUNITY TO LIVE ANOTHER DAY, THAT'S A GOOD SACRIFICE THAT A FAMILY OR SOMEONE IS MAKING. THAT'S WHY I'M SUPPORTING THIS. I UNDERSTAND LEGALLY OR WITH OUR CONSTITUTION AND THE CONCERN THAT

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SENATOR CHAMBERS HAS RIGHT NOW IS THAT WE'RE GOING OUT OF OUR BOUNDARY. BUT I BELIEVE WE MAKE BOUNDARIES HERE. WE ESTABLISH THAT. AND IF SENATOR WATERMEIER MET WITH AN ORGANIZATION WHERE YOU DONATE AN ORGAN AND IT IS GOING TO...OR, AND I'M NOT THAT FAMILIAR, BUT I DO KNOW THERE'S MULTIPLE ORGANS THAT ARE SOMETIMES DONATED BY A PERSON'S CHOICE FOR THE GREATER GOOD AND NOT THE HARM. AND THE HARM, I BELIEVE, IS IN THE LEGISLATION ITSELF IS WHAT SENATOR CHAMBERS AND SIR THOMAS MORE ARE PRESENTING TO US. AND THAT'S GOING TO BE A DECISION WE MAKE HERE WHETHER IT'S 5:00 P.M. TODAY OR SOONER THAN THAT. AND AS FAR AS SENATOR BLOOMFIELD, YOU KNOW, HIS POSITION HERE, YOU CAN ADD ALL THE AMENDMENTS YOU WANT. YOU HAVE SOME BILLS THAT NEED AMENDMENTS, TOO, PERHAPS, THAT WE'VE DISCUSSED IN THE PAST. AND THAT'S WHAT WE DO. WE LEGISLATE. WE ADD AMENDMENTS. WE SUPPORT OR...AND WE'LL MOVE FORWARD ON THIS. BUT IN GOOD FAITH TO MY CONSTITUENCY IN THE SECOND HOUSE,... [LB47]

SENATOR KRIST: ONE MINUTE. [LB47]

SENATOR BRASCH: ....AT THE END OF LIFE, IF THERE'S AN OPPORTUNITY TO SAVE OTHERS, I WOULD SUPPORT IT. AND I THINK MY CONSTITUENTS DO UNLESS THERE IS A RELIGIOUS OR OTHER REASON, AND THIS DOCUMENT PROVIDES YOU THE OPPORTUNITY TO JUST SAY NO. THANK YOU, COLLEAGUES. AND THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THANK YOU, SENATOR BRASCH. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, WHAT SENATOR BRASCH HAS SAID IS ALL WELL AND GOOD, IT'S JUST TOTALLY OFF THE MARK. IT HAS NOTHING TO DO WITH WHAT WE'RE TALKING ABOUT AT ALL AND THAT'S WHAT I MEAN ABOUT PEOPLE IGNORANT OF THE LAW TRYING TO TALK ABOUT THE LAW. NOBODY IS TALKING ABOUT WHETHER YOU CAN WRITE THAT YOU WANT TO DONATE YOUR ORGANS OR NOT. YOU CAN DO THAT. I DON'T CARE WHETHER YOU DO OR NOT. I HAVE NO INTEREST IN WHETHER YOU DO OR NOT. THAT'S A PERSONAL DECISION. WE'RE NOT TALKING ABOUT THE VALIDITY OF ORGAN DONATIONS OR HOW DESIRABLE THEY ARE. WE'RE TALKING ABOUT WHAT THE STATE IS COMPELLING PEOPLE TO DO AND THAT'S WHAT YOU DON'T WANT TO DEAL WITH, SENATOR WATERMEIER DOESN'T WANT TO DEAL WITH, SENATOR HUGHES AND THE REST OF YOU DON'T

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WANT TO DEAL WITH. I AM TALKING ABOUT THE LAW AND THE LAW SAYS THAT YOU CANNOT COMPEL SPEECH. IF I'M CHARGED WITH A CRIME, I'M THE DEFENDANT, I DON'T HAVE TO SAY A WORD. I CAN REMAIN SILENT. AND IF I WALK INTO THE COURTROOM FOR MY FIRST APPEARANCE, AND THE PROSECUTOR LAYS OUT ALL THIS STUFF AS TO WHAT I'M CHARGED WITH AND WHY, AND THE JUDGE SAYS, HOW DO YOU PLEAD, I DON'T EVEN HAVE TO SAY, "I STAND MUTE, YOUR HONOR." I DON'T HAVE TO SAY ANYTHING. AND YOU KNOW WHAT THE COURT DOES? IT ENTERS A PLEA OF NOT GUILTY. I AM NOT COMPELLED TO SAY ANYTHING WHEN I AM ON TRIAL. AND THE STATE CANNOT MAKE ME SAY ANYTHING. AND IF THE PROSECUTOR MAKES A REFERENCE TO THE FACT THAT I DIDN'T SAY ANYTHING, A MISTRIAL IS IMMEDIATELY DECLARED. YOU CANNOT COMPEL PEOPLE TO SAY ANYTHING. AND SENATOR BRASCH, WITH ALL HER TALK, DOESN'T UNDERSTAND THE ISSUE. AND THAT'S THE BAD THING ABOUT DEMOCRACY. YOU HAVE PEOPLE WHO DON'T KNOW ANYTHING ABLE TO PARTICIPATE. I DIDN'T SAY THAT'S AN ARGUMENT AGAINST HAVING A LEGISLATURE. HAVEN'T I SAID YOU CAN SEND A MULE SKINNER HERE IF THAT'S WHAT YOU CHOOSE TO DO? BUT WE DON'T HAVE TO FOLLOW THE MULE SKINNER. WE DON'T HAVE TO REDUCE WHAT WE'RE DOING TO THE LOWEST LEVEL OF IGNORANCE. SENATOR BRASCH CAN'T TALK ABOUT THE LAW BECAUSE SHE DOESN'T KNOW THE LAW. I KNOW WHAT A COMBINE IS, BUT THAT DOESN'T MEAN I KNOW ABOUT FARMING. I'VE HEARD ABOUT AND READ ABOUT GENETICALLY MODIFIED ORGANISMS. BUT DOES THAT MEAN THAT I COULD SAY THAT NOW I'M AT THE LEVEL OF A SCIENTIST WHO DEALS WITH GENETICALLY MODIFIED ORGANISMS AND I KNOW HOW TO GENETICALLY MODIFY THEM? EVEN IF I CAN DESCRIBE THE PROCESS, DOES THAT MEAN IF YOU PUT ME IN A LABORATORY, I COULD DO THE WORK? CERTAINLY NOT. THERE WAS AN INDIVIDUAL. HE WAS A NAZI. HE SAID THAT A THOUSAND COWARDS CANNOT PRODUCE A HEROIC ACT, AND A THOUSAND IGNORANT PEOPLE CANNOT PRODUCE ONE WISE PERSON. SO I DON'T CARE HOW MANY PEOPLE SENATOR BRASCH TALKS ABOUT, OR TO, OR SENATOR WATERMEIER. THEY'RE NOT TALKING ABOUT THE ISSUE. SHE MAY AS WELL START TALKING ABOUT CANTALOUPES AND PEACHES AND PEARS. THEY HAVE AS MUCH RELEVANCE TO WHAT WE'RE TALKING ABOUT AS WHAT SHE'S TALKING ABOUT. YOU CAN GIVE THESE TEAR-JERKING STORIES. AND YOU KNOW WHY THEY GIVE THEM? BECAUSE THE LAW IS NOT ON THEIR SIDE. [LB47]

SENATOR KRIST: ONE MINUTE. [LB47]

SENATOR CHAMBERS: BUT THEY DON'T EVEN KNOW WHAT THE LAW IS, AND THEY DON'T CARE WHAT THE LAW IS. THEY WANT TO COMPEL A PERSON TO

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SPEAK AND SENATOR HUGHES TOOK IT A STEP FURTHER. HE WANTS TO DEAL WITH COMPULSORY THOUGHTS. HE SAID IT'S ALL RIGHT TO MAKE THESE YOUNG PEOPLE THINK ABOUT THIS. SO YOU'RE GOING TO USE THE POWER OF THE STATE TO COMPEL THOUGHT EVEN? HOW OFF THE MARK IS THAT? I AM SO FRUSTRATED. BUT THAT'S WHAT HAPPENS WHEN YOU KNOW SOMETHING AND YOU'RE DEALING WITH PEOPLE WHO DON'T KNOW AND YOU HAVE TO TRY TO PERSUADE THEM. THIS IS WHAT JESUS WAS TALKING ABOUT WHEN HE SAID, THEY WON'T BELIEVE THOUGH ONE COME BACK FROM THE DEAD, BECAUSE THEY BELIEVE THE EARTH IS FLAT, AND THAT'S ALL THERE IS TO THAT, NOW SCAT. SO YOU'D SPEND YOUR TIME TALKING TO THAT WALL AND SAY, WALL, YOU'RE A SPONGE. THE WALL SAYS NOTHING. [LB47]

SENATOR KRIST: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR KRIST: THAT YOU, SENATOR CHAMBERS. THOSE STILL WISHING TO SPEAK: SENATOR EBKE, BLOOMFIELD, SCHUMACHER, AND CHAMBERS. SENATOR EBKE, YOU ARE RECOGNIZED. [LB47]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. I HAVE A COUPLE OF QUESTIONS FOR A COUPLE OF PEOPLE. AND FIRST, WOULD SENATOR SCHUMACHER YIELD FOR JUST A QUICK QUESTION? [LB47]

SENATOR KRIST: SENATOR SCHUMACHER, WILL YOU YIELD? [LB47]

SENATOR SCHUMACHER: I WILL. [LB47]

SENATOR EBKE: CAN YOU TELL ME WHAT THE AGE OF MAJORITY IN NEBRASKA IS? [LB47]

SENATOR SCHUMACHER: AGE OF MAJORITY FOR SOME THINGS IS 19, AND GENERALLY FOR EVERYTHING, BUT THEN AGAIN, WE PROTECT YOU FROM GETTING DRUNK UNTIL YOU'RE 21. [LB47]

SENATOR EBKE: THANK YOU, SENATOR SCHUMACHER. OKAY, SO, SENATOR WATERMEIER, WOULD YOU...I'VE GOT A COUPLE OF QUESTIONS AND I JUST MENTIONED TO SENATOR WATERMEIER THAT... [LB47]

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SENATOR KRIST: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES, I WILL. [LB47]

SENATOR EBKE: I MENTIONED TO YOU A FEW MINUTES AGO THAT I'M NOT REALLY SURE WHERE I STAND ON THIS ISSUE. I APPRECIATE THE SENTIMENT BEHIND IT AND THE INTENTIONS BEHIND IT. BUT AS SENATOR SCHUMACHER JUST NOTED, THE AGE OF MAJORITY IS 19 FOR MOST THINGS WHICH...CONTRACTUAL ARRANGEMENTS AND SO FORTH. SO DO YOU HAVE ANY IDEA HOW THIS WOULD WORK IF A 16-YEAR-OLD GOES IN TO GET A DRIVER'S LICENSE AND CHECKS OFF THIS BOX THAT, YES, THEY WANT TO BE AN ORGAN DONOR? AND AT THAT POINT, AND SOME POINT SHORTLY THEREAFTER, THEY'RE INVOLVED IN A BAD CAR ACCIDENT, AND THEY ARE TAKEN OFF TO THE HOSPITAL IN OMAHA WHERE THEY HAVE ORGAN TRANSPLANT FACILITIES. THIS A BIG HYPOTHETICAL, OF COURSE. AND THEY DIE WHILE THEY'RE AT THE FACILITY, AND THEY HAVEN'T YET REACHED THEIR PARENTS. WHAT HAPPENS WHEN THEY LOOK AT THE DRIVER'S LICENSE AND IT SAYS, YES, I WANT TO BE PART OF THE ORGAN DONOR REGISTRY? [LB47]

SENATOR WATERMEIER: I'M GOING TO GET BACK TO YOU ON THE DETAILS ON THAT BECAUSE WE HAD DONE A LOT OF WORK WITH THE GROUP THAT WAS WORRIED ABOUT THE LANGUAGE AND WE WERE MORE WORRIED ABOUT THE 14- AND 15-YEAR-OLDS THAN WE WERE THE 16s, BECAUSE IT WAS MY UNDERSTANDING THAT THE 16-YEAR-OLDS IN NEBRASKA DO HAVE THE AGE OF MAJORITY FOR THAT ISSUE. THEY CAN ANSWER THAT AND IT WOULD STAND. SO IF THERE WAS THIS TRAGIC ACCIDENT AND A 16-YEAR-OLD WAS KILLED, THEY WOULD LOOK AT THE LICENSE AND SAY, YES, HE'S A DONOR ON THE LICENSE. THE NEXT STEP IS THEY WOULD GO TO THE DONOR REGISTRY, DOUBLE-CHECK THAT REGISTRY. AND I CAN'T SAY FOR CERTAINTY THAT THE PARENTS ARE GOING TO BE CHECKED AT 16 YEARS OLD, BUT THE IDEA OF CHECKING THE REGISTRY IS THE MAIN CONCERN. [LB47]

SENATOR EBKE: SURE. I GUESS AS A PARENT OF A 16-YEAR-OLD, MY CONCERN WHEN MY DAUGHTER WENT IN TO CHECK THAT...IF SHE WENT AND CHECKED THAT BOX OFF, THAT I MIGHT NOT ACTUALLY REALIZE IT. AND I DON'T KNOW HOW I WOULD FEEL AS A PARENT IF MY CHILD DRIVING AROUND IN OMAHA IN AN ACCIDENT, HAS A TERRIBLE ACCIDENT, AND THEN THEY PROCEED TO RECOVER ORGANS WITHOUT MY PERMISSION AS THE PARENT. SO THAT'S A PIECE OF WHAT I'M CONCERNED ABOUT. I'M OBVIOUSLY CONCERNED

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ABOUT...ABOUT COMPELLING AN ANSWER, BUT BEYOND THAT, JUST SORT OF THE TECHNICAL DETAILS WITH RESPECT TO CONSENT. SO IF YOU CAN GET ME SOME OF THOSE ANSWERS, I WOULD APPRECIATE IT. [LB47]

SENATOR WATERMEIER: I'LL LOOK UP TO THE IDEA OF THE AGE OF MAJORITY, BUT ANSWERING THE QUESTION ON COMPELLING, I WANT TO GET BACK TO THE IDEA ON THE APPLICATION. THE MAIN THRUST OF THE GOAL OF THE BILL IS TO MOVE THIS QUESTION FROM AN OPTIONAL QUESTION, WHICH MANY APPLICANTS WILL JUST RIP RIGHT THROUGH THERE AND NOT ANSWER ANY OF THE OPTIONAL QUESTIONS. BUT THEY ALSO HAVE A SEPARATE GROUP OF MANDATORY QUESTIONS, MOST OF WHICH INVOLVE PHYSICAL ABILITIES TO BE ABLE TO DRIVE. BUT WE FEEL THAT IF WE CAN MOVE THAT QUESTION FROM THE OPTIONAL SIDE TO THE MANDATORY SIDE, THE PERSON IS NOT GOING TO JUST SKIP OVER IT, THEY'RE GOING TO HAVE TO LOOK AT IT. BUT IF THEY CHOOSE NOT TO ANSWER YES OR NO, AND THE APPLICANT IS NOT FULLY COMPLETED, THE DEPARTMENT HAS TOLD ME THEY WILL ASK THE PERSON, DO YOU CHOOSE NOT TO ANSWER THAT, AND CHECK THEY CHOSE NOT TO ANSWER. [LB47]

SENATOR KRIST: ONE MINUTE. [LB47]

SENATOR EBKE: OKAY. THANK YOU. [LB47]

SENATOR WATERMEIER: I'LL LOOK UP THE SECOND QUESTION AND WE CAN TALK ABOUT IT OFF THE FLOOR. [LB47]

SENATOR EBKE: THANK YOU. [LB47]

SENATOR WATERMEIER: THANK YOU. [LB47]

SENATOR KRIST: THANK YOU, SENATOR EBKE AND SENATOR WATERMEIER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I AM GOING TO WANT TO ASK SENATOR WATERMEIER ANOTHER QUESTION OR TWO. [LB47]

SENATOR KRIST: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

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SENATOR WATERMEIER: YES. [LB47]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. YOU AND I, SENATOR BRASCH, ARE ALL INVOLVED IN WHAT IS OFTEN DESCRIBED AS THE MOST DANGEROUS OCCUPATION THERE IS, AND THAT IS BEING A FARMER. DO WE NEED TO, IN YOUR OPINION, GO DOWN THE LINE AND SAY THAT YOU CAN'T BUY FERTILIZER UNLESS YOU ANSWER THIS QUESTION? YOU CAN'T BUY A FARM TRACTOR UNLESS YOU ANSWER THAT QUESTION? WHERE DO WE STOP WITH FORCING PEOPLE TO ANSWER QUESTIONS THAT THEY SHOULD NOT BE FORCED TO ANSWER? THAT WAS A QUESTION, SENATOR. [LB47]

SENATOR WATERMEIER: I DON'T KNOW THAT I COULD ANSWER THAT. I MEAN, I'M HOPING THAT IN THIS PROCESS IF SOMEONE WOULD BRING A LEGITIMATE CONCERN TO THE BODY IN A BILL AND FIND A SENATOR THAT'S ACTUALLY WILLING TO SPONSOR IT, AND HAVE A COMMITTEE HEARING ON IT, THAT THAT PROCESS WOULD VENT ITSELF THERE. I MEAN, I CAN'T TELL YOU AS A PRODUCER WHETHER WE OUGHT TO HAVE A FERTILIZER QUESTION ON AN APPLICANT FOR A DRIVER'S LICENSE. THIS EVENT... [LB47]

SENATOR BLOOMFIELD: NO, NOT ON THE DRIVER'S LICENSE. [LB47]

SENATOR WATERMEIER: I MEAN IN ANYTHING WHETHER WE SHOULD BE ASKING THOSE QUESTIONS OR NOT. I GUESS I'M...I HATE TO SAY BUT I'M PUTTING COMMON SENSE IN FRONT OF THIS THAT WE CAN ANSWER THOSE QUESTIONS IN THE PROCESS OF GETTING TO A BILL, THAT THAT WOULD BE WEEDED OUT. IF THAT WOULD NOT BE REALISTIC, WE WOULDN'T BRING A BILL LIKE THAT. [LB47]

SENATOR BLOOMFIELD: WHY IN YOUR MIND IS IT NOT REALISTIC? [LB47]

SENATOR WATERMEIER: TO BRING A BILL TOWARDS MANDATING WHETHER YOU HAVE FERTILIZER IN YOUR AG... [LB47]

SENATOR BLOOMFIELD: IF WE CAN MANDATE THAT THEY HAVE TO ANSWER A QUESTION IN ORDER TO GET A DRIVER'S LICENSE, WHY CAN WE NOT THEN MANDATE THAT THEY HAVE TO ANSWER A QUESTION IN ORDER TO BUY FERTILIZER, OR TO BUY ANYTHING ELSE? [LB47]

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SENATOR WATERMEIER: IT'S A PRACTICE THAT WE'RE USED TO USING. IT'S A PRACTICE THAT PERTAINS TO THIS LICENSE. [LB47]

SENATOR BLOOMFIELD: I'M NOT USED TO BEING FORCED TO ANSWER THAT QUESTION. SO, NO, YOU'RE MISTAKEN THERE. BUT THANK YOU FOR THAT RESPONSE, AND I DO HAVE ANOTHER QUESTION. YOU BROUGHT ME OVER THE AGE LIMITS OF WHICH YOU ARE ALLOWED TO DONATE. THEY RANGE FROM NO LIMIT AT ALL UP TO 21. NEBRASKA HAS A LIMIT OF 16. IF YOU'RE UNDER 16, YOU CURRENTLY CANNOT DONATE. WHAT PERCENTAGE OF AN INCREASE DO YOU SUPPOSE WE MIGHT GET IF WE JUST ELIMINATED THAT, THEN WENT DOWN TO LETTING THE PARENTS OF PEOPLE UNDER 16 SIGN THEM UP AS DONORS? I THINK WE MIGHT GET A BIGGER BANG THERE WITHOUT FORCING ANYBODY TO DO ANYTHING. THIS WHOLE IDEA OF FORCING ME TO ANSWER THAT QUESTION REALLY RUBS ME THE WRONG WAY. DO YOU THINK WE WOULD GAIN MORE PEOPLE GOING THAT WAY POSSIBLY? [LB47]

SENATOR WATERMEIER: I DON'T KNOW WHAT THE FEELING OF THE NEBRASKANS WOULD BE. YOU'D HAVE TO GO BACK. THE ONLY WAY I COULD JUDGE THAT WOULD BE TO GO TO THE STATES THAT ALLOW YOUNGER AGE OF DONATIONS, SEE WHAT KIND OF PERCENTAGES THEY HAVE. PERSONALLY, I WOULDN'T SPONSOR A BILL LIKE THAT. [LB47]

SENATOR BLOOMFIELD: YOU WOULD NOT BE IN FAVOR OF A BILL THAT WOULD ALLOW PARENTS TO SIGN UP A 15-YEAR-OLD AS A DONOR? [LB47]

SENATOR WATERMEIER: NOT AFTER THE DISCUSSION I HAD WITH SEVERAL OF THE CIVIC ORGANIZATIONS AND THE CHURCH ORGANIZATIONS THAT WE HAD CONVERSATIONS WITH. I CAME TO TERMS THAT I FELT LIKE THAT WAS A REACH TOO FAR BECAUSE OF THE... [LB47]

SENATOR BLOOMFIELD: OKAY. [LB47]

SENATOR WATERMEIER: ...YOU KNOW, THE INCIDENTS WHICH IT MAY HAPPEN WHERE A PARENT WOULDN'T BE INVOLVED AND NEBRASKA MADE THAT DECISION AT 16, SO IT REALLY MADE OUR DECISION EASY. [LB47]

SPEAKER HADLEY PRESIDING



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SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR BLOOMFIELD: WE HAVE ALSO MADE THE DECISION APPARENTLY THAT YOU ARE NOT FORCED TO DO THIS AND THAT'S WHAT WE'RE LOOKING AT CHANGING. SO IF WE CAN CHANGE WHETHER OR NOT YOU ARE FORCED TO ANSWER THAT QUESTION IN ORDER TO OBTAIN A LICENSE, I WOULD THINK WE COULD ALSO CHANGE THAT AGE LIMIT, AND I REALLY THINK WE WOULD PROBABLY HAVE A BETTER OUTCOME. BUT THANK YOU. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB47]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER AND MEMBERS OF THE BODY. WE TALKED A LITTLE BIT ABOUT THE BIOLOGY OF IT ALL AND WE'RE ALL A LITTLE UNCOMFORTABLE WITH THE BIOLOGY OF IT ALL, BUT IT IS THE AGE THAT WE LIVE IN. BUT NOW I WOULD LIKE TO TALK A LITTLE BIT ABOUT THE ISSUES THAT SENATOR CHAMBERS IS RAISING. THE RIGHT OF EXPRESSION IN OUR SOCIETY IS THE TOP RIGHT THAT WE'VE EMBODIED IN OUR CONSTITUTIONS, THE FIRST AMENDMENT, SPEECH AND NOT SPEECH. OUR STATE CONSTITUTION ARTICULATES IT. THE RIGHT TO STAND MUTE IS FUNDAMENTAL. MR. FENNER FROM CREIGHTON I THINK HAS FALLEN INTO THE TRAP OF NOT SEEING THE FOREST FOR THE TREES. YOU CAN CITE CASES BACK AND FORTH ON ALMOST EVERY ISSUE. BUT THE RIGHT TO JUST BE SILENT IS INCREDIBLY IMPORTANT, EVERY BIT AS MUCH IMPORTANT AS THE RIGHT TO SAY SOMETHING ONE WAY OR THE OTHER ON AN ISSUE. THAT RIGHT WE HAVE AN OBLIGATION TO PROTECT. WE HAVE AN OBLIGATION TO OUR CONSTITUTIONS. IF WE WANT TO DEAL WITH THE NEW BIOLOGY, AND THE HARVESTING OF ORGANS AND THE MAINTAINING OF AN ORGAN INVENTORY, WHICH IS THE ULTIMATE, IN FACT, THE ONLY STATE INTEREST IN THIS KIND OF LEGISLATION, THEN WE CAN DO IT WITHOUT REQUIRING SOMEONE TO SPEAK OR PROHIBITING THEM FROM STANDING SILENT. AND, NO, I DO NOT ACCEPT THE NOTION THAT A DEPARTMENT WILL SAY, OH, WHAT THE HECK, WE'LL JUST BLOW IT OFF IF YOU DON'T ANSWER THE QUESTION, WE'RE JUST KIND OF BLUFFING. WE'VE ALL SEEN EVEN IN THE SHORT TIME THAT WE'RE HERE, AND I'M SURE SENATOR CHAMBERS HAS SEEN IT OVER AND OVER AND OVER AGAIN OVER THE YEARS, THAT DEPARTMENTS HAVE A TENDENCY TO DO WHAT THEY DARN WELL PLEASE. AND UNLESS YOU HAVE CONSTANT OVERSIGHT, AND UNLESS THE EXECUTIVE IS IN COMPLETE AGREEMENT, AND UNLESS YOU JUST BABY-SIT AND PROD AND LEGISLATE AND RE-HAVE HEARINGS, THEY'LL DO WHAT THEY WANT TO DO. AND IT'S REALLY HARD FOR THE LEGISLATURE TO GET OUR TEETH INTO THAT BECAUSE THE ROLE

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OF THE EXECUTIVE SHOULD BE TO DO WHAT THE LEGISLATURE SAYS. BUT THAT'S NOT BEEN THE CASE IN RECENT YEARS OR EVEN NOT SO RECENT YEARS. THE LEGISLATURE SEEMS TO BE ABLE TO SAY THINGS AND THE EXECUTIVE TO KIND OF DO WHAT THEY WANT TO DO. AND PARTICULARLY THAT'S WORSE PROBABLY WITH TERM LIMITS BECAUSE LEGISLATURES CHANGE AND YOU CAN START ALL OVER AGAIN TO DO THE SAME THING WITH THE NEXT LEGISLATURE. SO WE HAVE AN ISSUE WITH ENFORCING THE LAW. SO I'M NOT IN AGREEMENT WITH THE IDEA THAT, WELL, WE CAN JUST TRUST THE DEPARTMENT TO BLOW IT OFF. IF WE'RE GOING TO GO THAT ROUTE, THEN THAT'S SOME AMENDMENTS WE SHOULD CONSIDER. BUT FUNDAMENTALLY, THE POINT I THINK AT THIS POINT IS, WE DON'T HAVE TO HAVE THIS CONTROVERSY IF WE REALLY BELIEVE THAT YOUR BODY IS NOT YOURS AT THE TIME YOU PASS AWAY, AND I THINK CONSTITUTIONALLY THAT IS THE LAW. YOU CEASE TO HAVE RIGHTS. AND YOUR HEIRS CEASE TO HAVE RIGHTS IN YOUR BODY AT THE TIME YOU PASS AWAY UNLESS THE LEGISLATURE SAYS OTHERWISE. SO WE CAN ADDRESS THAT ISSUE. AND I WOULD SUSPECT SOMETIME IN THE NEXT 10 OR 20 YEARS, WE WILL... [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR SCHUMACHER: ...EXAMINE THAT ISSUE AND WE WILL THINK ABOUT MAKING IT A PRACTICE ACROSS THE COUNTRY THAT UNLESS YOU SAY OTHERWISE, YOUR ORGANS ARE AVAILABLE FOR HARVEST. THEN YOU COULD STAND SILENT AND HAVE YOUR WILL DONE BECAUSE YOU DO NOT HAVE A RIGHT TO YOUR BODY AFTER DEATH, NOR DO YOU HAVE A RIGHT, IF WE GO INTO PROPERTY LAW, TO PASS PROPERTY TO YOUR HEIRS UPON DEATH. THAT ALL COMES FROM THE LEGISLATURE. AND THAT'S SOME INTERESTING CONCEPTS. WE'LL HAVE A LOT OF TIME FOR INTERESTING CONCEPTS TODAY. THANK YOU. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR SCHUMACHER, SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I WOULD LIKE TO ASK SENATOR WATERMEIER A QUESTION OR TWO. [LB47]

SPEAKER HADLEY: SENATOR WATERMEIER, WILL YOU YIELD TO A QUESTION? [LB47]

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SENATOR WATERMEIER: YES. [LB47]

SENATOR CHAMBERS: SENATOR WATERMEIER, BEFORE I BEGIN, WHAT IS YOUR FIRST NAME? [LB47]

SENATOR WATERMEIER: DANIEL. [LB47]

SENATOR CHAMBERS: I DISAGREE WITH YOU. WOULD YOUR FIRST NAME... [LB47]

SENATOR WATERMEIER: WELL, YOU HAVE CALLED ME SENATOR "SCROOGE" BEFORE. [LB47]

SENATOR CHAMBERS: NO, WOULD YOUR FIRST NAME BE THE NAME THAT YOU HAD FIRST? WHAT IS YOUR LAST NAME? [LB47]

SENATOR WATERMEIER: WATERMEIER. [LB47]

SENATOR CHAMBERS: MEMBERS OF THE LEGISLATURE, HE WAS WATERMEIER WHEN HE WAS BORN. HIS FIRST NAME IS WATERMEIER. THAT'S WHY THEY REFER TO THE NAME THAT YOU'RE PROVIDED AS YOUR GIVEN NAME. DANIEL IS HIS LAST NAME. SEE HOW PEOPLE DON'T THINK? THEY DON'T PAY ATTENTION TO WORDS. WORDS HAVE MEANING. WHY MUST ONE BE LEARNED IN THE LAW? WHY MUST ONE STUDY THE LAW? BECAUSE WHEN YOU BRING WHAT YOU CALL COMMON SENSE TO THE LAW, IT TURNS OUT TO BE NONSENSE. BUT BEFORE I GO INTO THAT, SENATOR WATERMEIER, LAY OUT FOR ME, AGAIN, HOW THE DEPARTMENT HAS TOLD YOU THEY WILL BEHAVE IF A PERSON SIMPLY STANDS MUTE, SO TO SPEAK, AND WILL NOT ANSWER YES OR NO OR PREFERS NOT TO ANSWER. WHAT WILL THE DEPARTMENT DO? [LB47]

SENATOR WATERMEIER: I HAD A MEMO HERE FROM THE DEPARTMENT THAT JUST STATED THAT IF THE APPLICANT TURNED IN THE APPLICATION WITHOUT THAT ANSWER BEING ANSWERED, THEY WOULD TURN TO THEM AND SAY, DID YOU CHOOSE NOT TO ANSWER THIS? OR THEY WOULD FILL IT IN, THEY WOULD SAY, CHOSE NOT TO ANSWER. [LB47]

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SENATOR CHAMBERS: SO THEN THEY'RE ACTUALLY FALSIFYING THAT DOCUMENT, AREN'T THEY, BECAUSE THE INDIVIDUAL DID NOT FILL THAT IN, ISN'T THAT TRUE? [LB47]

SENATOR WATERMEIER: I'M TELLING...I WOULD ANSWER THAT... [LB47]

SENATOR CHAMBERS: I DON'T CARE, I'M ASKING YOU. [LB47]

SENATOR WATERMEIER: NO. [LB47]

SENATOR CHAMBERS: YOU KNOW THE ANSWER. DID THE INDIVIDUAL WHO SIGNS THAT DOCUMENT CHECK THAT PLACE HIMSELF OR HERSELF OR DID SOMEBODY FROM THE DEPARTMENT? [LB47]

SENATOR WATERMEIER: IT COULD BE THAT THE DEPARTMENT WOULD CHECK IT "CHOSE NOT TO ANSWER." [LB47]

SENATOR CHAMBERS: AND THAT WOULD BE A FALSIFICATION OF THAT DOCUMENT, WOULDN'T IT, BECAUSE THE ONE WHO SIGNED IT DID NOT PUT THAT STATEMENT IN IT, ISN'T THAT RIGHT? [LB47]

SENATOR WATERMEIER: I'M NOT SURE I'M QUALIFIED... [LB47]

SENATOR CHAMBER: YOU KNOW WHICH... [LB47]

SENATOR WATERMEIER: I CAN'T ANSWER THAT, SENATOR CHAMBERS. [LB47]

SENATOR CHAMBERS: DID THE ONE WHO SIGNED IT PUT THE CHECK MARK OR DID THE EMPLOYEE? [LB47]

SENATOR WATERMEIER: THE WAY YOUR QUESTION IS, I DON'T KNOW THE ANSWER TO THAT THE WAY YOU'VE GOT IT TERMED. I WOULD SAY PROBABLY NOT. I'LL SAY NO. I WOULD SAY NO. [LB47]

SENATOR CHAMBERS: MEMBERS OF THE LEGISLATURE, SENATOR WATERMEIER IS NOT AS DUMB AS HE'S PLAYING LIKE AND I'M GOING TO FORCE HIM TO SHOW YOU THAT HE'S NOT. BUT I'M GOING TO ALSO SHOW YOU THAT HE'S

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ENCOURAGING STATE EMPLOYEES TO LIE. SENATOR WATERMEIER, YOUR LAW, IF IT PASSES, REQUIRES THE PERSON SEEKING THE LICENSE TO FILL OUT ONE OF THOSE...CHECK ONE OF THOSE BOXES, ISN'T THAT TRUE, IN ORDER TO GET A DRIVER'S LICENSE? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR CHAMBERS: AND IF THE PERSON DOES NOT CHECK ANY BOX, THE PERSON CANNOT GET THE DRIVER'S LICENSE. ISN'T THAT TRUE? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR CHAMBERS: AND YOU HAVE TOLD US THAT IF A PERSON SIMPLY CHECKS NONE OF THE BOXES, THE EMPLOYEE WILL INDICATE THAT THE PERSON SAID, I CHOOSE NOT TO ANSWER, AND THEN WOULD CHECK THAT BOX. ISN'T THAT WHAT YOU SAID? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR CHAMBERS: AND THE EMPLOYEE HAS PUT SOMETHING ON THE DOCUMENT WHICH THE ONE WHO SIGNED IT DID NOT PUT THERE. ISN'T THAT TRUE? [LB47]

SENATOR WATERMEIER: THEY CONFIRMED IT. [LB47]

SENATOR CHAMBERS: I'M AN HONEST MAN. ASK ME A QUESTION AND I'LL ANSWER IT. ARE YOU AN HONEST MAN IN YOUR OPINION, SENATOR WATERMEIER? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR CHAMBERS: DO YOU UNDERSTAND ENGLISH WHEN YOU HEAR IT SPOKEN? [LB47]

SENATOR WATERMEIER: NO. [LB47]

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SENATOR CHAMBERS: I THOUGHT THAT WAS THE CASE. HE WAS HONEST ENOUGH TO SAY HE DOESN'T UNDERSTAND ENGLISH WHEN HE HEARS IT SPOKEN, BUT THAT WAS A FALSEHOOD BECAUSE HE ANSWERED THE QUESTION AND IN ORDER TO ANSWER THE QUESTION, HE HAD TO UNDERSTAND THE ENGLISH BY WHICH I PROPOUNDED THE QUESTION. YOU SEE WHAT I'M DEALING WITH AROUND HERE? I'D SAY LIKE THEY SAY IN COURT: NO FURTHER QUESTIONS TO THIS WITNESS, YOUR HONOR, BECAUSE HE IS INCAPABLE INTELLECTUALLY OF RESPONDING TO THE QUESTIONS. EVERYBODY IN THIS ROOM AND THOSE WATCHING CAN SEE WHAT WE'RE TALKING ABOUT AND HOW FOOLISH THIS IS AND HOW SOMEBODY TOTALLY INCOMPETENT TO BRING IT IS ASKING EVERYBODY ELSE TO BE AS INCOMPETENT AS HE IS. AND BECAUSE YOU ALL ARE THINKING ABOUT YOU LIKE ORGAN DONATION, YOU'RE GOING TO LET YOURSELF LOOK LIKE A FOOL. WE'RE NOT TALKING ABOUT ORGAN DONATIONS. WE'RE TALKING ABOUT THE STATE COMPELLING SOMEBODY TO DO SOMETHING AND IF THEY DON'T DO IT, THE EMPLOYEE IS TO LIE. AND YOU ALL ARE AGREEING WITH THAT. [LB47]

SPEAKER HADLEY: TIME, SENATOR. THANK YOU, SENATOR CHAMBERS. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB47]

SENATOR JOHNSON: THANK YOU, MR. SPEAKER. I'M GOING TO PROBABLY TAKE UP JUST A LITTLE BIT OF THIS TIME BECAUSE WE'RE GOING TO GO THE WHOLE ROUTE, IT SOUNDS LIKE. I'M GOING TO ANSWER A QUESTION THAT WAS ADDRESSED EARLIER BETWEEN SENATOR BLOOMFIELD AND SENATOR WATERMEIER AND THIS DEALT WITH, AM I GOING TO HAVE TO SIGN A PAPER TO BUY FERTILIZER OR SOMETHING LIKE THAT? WE ALREADY HAVE A SYSTEM IN PLACE WHERE THE STATE REQUIRES A CLASS TO BE TAKEN IN ORDER TO BUY A CHEMICAL. THERE ARE STATES...I WAS OUT TO DENVER OVER THE WEEKEND FOR AN AG LEADERS CONFERENCE. THERE'S A LOT OF STATES THAT ARE PUTTING IN PLACE THAT IN ORDER TO BUY FERTILIZER, IN ORDER TO COMPLY WITH THE NUTRITION REQUIREMENTS FOR GROUND AND PLANTS, THAT YOU HAVE TO BE CERTIFIED WITH KNOWLEDGE IN ORDER TO BUY FERTILIZER. SO WE ARE IMPOSING THINGS ON...IT'S NOT A DOCUMENT YOU HAVE TO SIGN, BUT YOU DO HAVE TO BE CERTIFIED. SO THERE IS A PROCESS. IT DOESN'T RELATE NECESSARILY TO THE BILL WE'RE TALKING ABOUT, BUT IT WAS A QUESTION THAT WAS ASKED AND I WANTED TO CLARIFY THAT. THANK YOU. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR JOHNSON. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

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SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WOULD LIKE TO ENGAGE SENATOR JOHNSON HERE FOR A MOMENT IF I COULD. [LB47]

SPEAKER HADLEY: SENATOR JOHNSON, WILL YOU YIELD TO A QUESTION? [LB47]

SENATOR JOHNSON: YES, I WILL. [LB47]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. MY QUESTION WAS NOT WHETHER OR NOT WE ARE COMPELLED TO DO THINGS IN AGRICULTURE. MY QUESTION WAS WHETHER OR NOT YOU SHOULD BE COMPELLED TO ANSWER WHETHER OR NOT YOU CHOOSE TO BE AN ORGAN DONOR IN ORDER TO DO THIS. WE'RE ENGAGED IN THE MOST DANGEROUS BUSINESS THERE IS, WE'RE TOLD REPEATEDLY. SO IF WE ARE TYING THAT TO THE PRIVILEGE OR RIGHT OF GETTING A DRIVER'S LICENSE, I WONDER, DO WE NEED TO TIE IT TO THE PRIVILEGE OR RIGHT OF BUYING FERTILIZER OR CHEMICALS OR ANYTHING ELSE, BECAUSE WE'RE ENGAGED IN A DANGEROUS OCCUPATION. NOW WHAT YOU SAID WAS COMPLETELY CORRECT. BUT I WOULD LIKE YOU TO ANSWER, ARE WE COMPELLED IN ANY OF THOSE APPLICATIONS TO ANSWER THE QUESTION OF WHETHER OR NOT WE CHOOSE TO BE ORGAN DONORS? [LB47]

SENATOR JOHNSON: NO, IT DOESN'T DEAL WITH THIS SUBJECT, BUT I GOT... [LB47]

SENATOR BLOOMFIELD: THANK YOU...NOR SHOULD IT, NOR SHOULD THE PRIVILEGE OR RIGHT OF GETTING A DRIVER'S LICENSE. THIS IS A DECISION THAT YOU MAKE WITHIN YOUR OWN SOUL, WITHIN YOUR OWN MIND, WITHIN YOUR OWN CONSCIENCE: DO I OR DO I NOT WANT TO BE AN ORGAN DONOR? IT IS NOT A QUESTION YOU SHOULD BE COMPELLED TO ANSWER. THANK YOU, MR. PRESIDENT, AND I YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. [LB47]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 3:12. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. I WANT ALL OF THESE PEOPLE WHO PROFESS TO BE HONEST TO LISTEN. SENATOR WATERMEIER HAS TOLD ALL OF YOU DUMB BELLS...BECAUSE THAT'S WHAT HE'S GOT TO THINK YOU ARE. YOU SWORE TO UPHOLD THE LAW. YOU'RE SUPPOSED TO BE HONEST. YOU'RE SUPPOSED TO HAVE INTEGRITY. SENATOR JOHNSON THERE IS SUPPOSED TO HAVE INTEGRITY, SENATOR

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McCOLLISTER, ALL OF US. AND YOU'VE HEARD THIS MAN WHO'S TELLING YOU TO VOTE WITH HIM THAT THE STATE EMPLOYEES ARE AUTHORIZED TO LIE. THE COURT HAS SAID WHEN YOU MAKE A STATEMENT WITH THE INTENT TO DECEIVE, EVEN IF THE WORDS ARE OBJECTIVELY ACCURATE, IF THEY ARE STATED IN A CONTEXT WHERE THEY WOULD LEAD TO A PERSON BEING DECEIVED, THOSE ACCURATE WORDS CONSTITUTE A LIE. THAT'S WHAT THE COURTS HAVE SAID. THEY KNOW THE STRATAGEMS PEOPLE TRY TO USE TO EVADE RESPONSIBILITY AND EVADE THE LAW. SO THEY TELL YOU WHAT YOUR RELIGION WILL NOT TELL YOU. WHY DO YOU ALL PRAY EVERY MORNING? THEN YOU'RE GOING TO HEAR A MAN TELL YOU THAT THE EMPLOYEE IS TO FALSIFY A DOCUMENT, WHICH DOCUMENT SHOULD NOT EVEN BE PRESENTED. AND DO YOU SEE THE QUAGMIRE YOU STEP INTO WHEN YOU MISUSE THE STATE'S POWER? THE EMPLOYEE IS EXPECTED TO LIE. THEN THESE STUDENTS SITTING IN FRONT OF US, YOU ALL OUGHT TO CHEAT ON YOUR EXAMS. THE SENATORS WHO ARE YOUR EXAMPLES ARE SAYING THAT AN EMPLOYEE OF THE STATE, PAID WITH YOUR PARENTS' TAX MONEY, IS TO LIE SO THAT THESE PRIVATE ASSOCIATIONS CAN GET NAMES ON A PAPER, AND ALSO BECAUSE THEY AT THAT DEPARTMENT KNOW THAT IT'S TOTALLY INCOMPATIBLE WITH WHAT THEY ARE DOING TO DENY SOMEBODY THE RIGHT TO APPLY FOR A LICENSE. [LB47]

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB47]

SENATOR CHAMBERS: WE SHOULD TAKE THIS A STEP AT A TIME. TO APPLY FOR A LICENSE DOESN'T MEAN YOU WILL GET THE LICENSE. WE ARE TALKING ABOUT THE RIGHT TO APPLY. THEY'RE LIKE THESE RACISTS WHO TELL BLACK PEOPLE, BLACK PEOPLE NEED NOT EVEN APPLY. WE DON'T GET TO YOU BEING TURNED AWAY FROM THE JOB, YOU CANNOT EVEN APPLY. AND THERE WAS A PERIOD DURING THIS COUNTRY'S HISTORY WHERE YOU WOULD SEE THE LETTERS IN SHOP WINDOWS AND EVERYWHERE ELSE, N-I-N-A. DO YOU KNOW WHAT THAT STANDS FOR? ACTUALLY THOSE LETTERS ARE OUT OF ORDER, I-N-A, BUT ALSO N-I-N-A. NOW I'VE GOT YOUR ATTENTION. [LB47]

SPEAKER HADLEY: TIME, SENATOR. THANK YOU, SENATOR CHAMBERS. IS THERE ANYONE ELSE THAT WISH TO TALK ON THE BRACKET MOTION? SEEING NONE, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR BRACKET MOTION. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT, BUT WE'RE NOT THROUGH WITH THIS BECAUSE I'M GOING TO MOVE TO RECONSIDER IT. THE LETTERS N-I-N-



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A MEANT NO IRISH NEED APPLY. YOU LEARN SOMETHING ABOUT HISTORY WHEN YOU LISTEN TO ME IF YOU PAY ATTENTION. THESE PEOPLE DON'T KNOW. THEY DON'T KNOW ANYTHING. THEY DON'T EVEN KNOW WHAT THOSE PRAYERS MEAN THAT THEY PARTICIPATE IN EVERY MORNING IN THIS CHAMBER. SEE THEM ALL LOOKING DOWN PLAYING LIKE THEY DON'T HEAR WHAT I'M SAYING. LOOK AT THEM. THESE ARE YOUR LEADERS. THEY TOOK AN OATH TO UPHOLD THE CONSTITUTION AND THEY ARE LISTENING TO SOMEBODY WHO IS LEADING THEM DOWN THE PRIMROSE PATH OF ENSURING THAT EMPLOYEES LIE. IF I AM THE ONE TO SIGN THIS DOCUMENT AND MY SIGNATURE IS ON IT AND THERE'S A REQUIREMENT THAT I FILL OUT EVERYTHING ON THIS PAPER, AND SOMEBODY ELSE PUT SOMETHING ON THAT PAPER, THEY FALSIFIED THAT DOCUMENT. THEY FALSIFIED IT. AND SENATOR WATERMEIER IS TELLING YOU THAT THAT IS THE POSITION HE AND THESE PRIVATE ASSOCIATIONS HAVE PUT STATE EMPLOYEES INTO. AND IF NOBODY ELSE IS GOING TO PROTECT THEM, I'M GOING TO. I SAY THAT I'M THE DEFENDER OF THE DOWNTRODDEN. AND I AM. AND WHEN A PERSON HAS A JOB AND A PART OF THAT JOB IS TO COMPROMISE YOUR INTEGRITY, THEN I HAVE TO DO SOMETHING ABOUT IT. YOU ALL DON'T HAVE TO BECAUSE YOU HAVE NO INTEGRITY. BIRDS OF A FEATHER FLOCK TOGETHER. THOSE WHO WALK WITH THE LAME WILL THEMSELVES LEARN TO LIMP. HOW MANY TIMES DO WE HEAR DISCUSSIONS OF RIGHT AND WRONG, HONESTY, TALKING ABOUT YOU SHOULD MAKE PEOPLE PARTICIPATE IN A ROLL CALL VOTE WHEN YOU ELECT OFFICERS IN THE LEGISLATURE BECAUSE THE NOTION OF KEEPING YOUR WORD IS IMPORTANT? THEY TALKED IN HERE YESTERDAY ABOUT KEEPING YOUR WORD. BUT SEE, NOW I'M OLDER THAN ANYBODY IN HERE. IF I SNEEZED HARD, I WOULD BE 80 YEARS OLD. THEY SHOULD HAVE BETTER MEMORY THAN ME. THEY FORGOT WHAT THEY SAID YESTERDAY, KEEPING YOUR WORD. THAT GOES TO THE POINT OF HONESTY AND INTEGRITY, AND IN LESS, FEWER THAN 24 HOURS, THEY FORGOT WHAT THEY SAID BECAUSE THEY DIDN'T MEAN IT WHEN THEY SAID IT THEN BECAUSE IT HAD NO MEANING TO THEM. THEY HAVE NO INTEGRITY. THEY DON'T KNOW THE MEANING OF THE WORD "DISHONESTY," BECAUSE IF THEY KNEW THE WORD...THE MEANING OF THAT WORD, THEY WOULD NOT WANT IT TO APPLY TO THEMSELVES. BUT THAT'S WHAT THIS BILL IS ABOUT. THE END JUSTIFIES THE MEANS. IT IS SO IMPORTANT TO GET WHAT THESE GROUPS HAVE TOLD SENATOR WATERMEIER HE OUGHT TO GET THIS LEGISLATURE TO DO; THE MEANS IS SO IMPORTANT THAT HAVING THE STATE EMPLOYEE PARTICIPATE IN DISHONESTY AND LYING IS JUSTIFIED. LYING! YOU SENATORS ARE VOTING FOR LYING. AND THEN YOU'VE GOT THE NERVE TO PRAY HERE EVERY MORNING. YOU KNOW WHY I KNOW THERE'S NOTHING TO YOUR PRAYERS? IF THERE WAS A GOD LIKE YOU ALL SAY, HE'D STRIKE YOU DEAD INSULTING HIM IN THAT FASHION. WHY, YOUR TONGUE WOULD CLEAVE

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TO THE ROOF OF YOUR MOUTH AND YOUR RIGHT ARM WOULD LOSE HER CUNNING. A LIGHTNING BOLT WOULD COME RIGHT THROUGH THAT CEILING-- SHAZAM, BOOM--AND THEY WOULD BE GONE. BECAUSE THEY'RE LIARS AND THE TRUTH IS NOT IN THEM. [LB47]

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB47]

SENATOR CHAMBERS: YOU ALL HEARD WHAT SENATOR WATERMEIER SAID. I'M GOING BY WHAT HE SAID. IF THE PERSON, ACCORDING TO THE LAW, IS REQUIRED TO CHECK ONE OF THESE BOXES, AND CHECKS NONE OF THEM, THAT PERSON IS NOT TO BE GIVEN A DRIVER'S LICENSE, NOT ALLOWED. SENATOR WATERMEIER SAYS THEN THE EMPLOYEE IS TO TAKE THE PLACE OF THAT PERSON AND MARK THAT BOX AND GIVE THE IMPRESSION THAT THE PERSON WHOSE APPLICATION IT IS MARKED THE BOX. THAT'S DISHONESTY. THAT'S DECEPTION. SENATOR WATERMEIER KNOWS THAT, BUT HE HADN'T THOUGHT ABOUT THIS. HE HADN'T THOUGHT IT THROUGH. MY JOB IS TO MAKE MY COLLEAGUES THINK AND THINKING CAN BE PAINFUL. BUT I'M GOING TO MAKE THEM FACE THESE MORAL ISSUES. THEY'RE ALL RELIGIOUS. THEY ALL BELIEVE IN GOD. THEY'RE ALL CHRISTIANS. [LB47]

SPEAKER HADLEY: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: MR. PRESIDENT, I WOULD ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE IN REVERSE ORDER. [LB47]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB47]

CLERK: 26 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL. [LB47]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR HANSEN, SENATOR BURKE HARR, SENATOR PANSING BROOKS, SENATOR BOLZ, SENATOR DAVIS, SENATOR MURANTE, SENATOR COASH, SENATOR KINTNER, THE HOUSE IS UNDER CALL. SENATOR KINTNER, THE HOUSE

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IS UNDER CALL. PLEASE RETURN TO THE CHAMBER. THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. MR. CLERK. [LB47]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 246.) 6 AYES, 35 NAYS, MR. PRESIDENT, ON THE MOTION TO BRACKET THE BILL. [LB47]

SPEAKER HADLEY: THE MOTION TO BRACKET THE BILL FAILS. MR. CLERK. RAISE THE CALL. ITEMS FOR THE RECORD. MR. CLERK? [LB47]

CLERK: MR. PRESIDENT, BEFORE WE PROCEED, I DO. I HAVE SOME NEW BILLS TO INTRODUCE. (READ LB908-917 BY TITLE FOR THE FIRST TIME.) IN ADDITION, MR. PRESIDENT, I HAVE A NEW RESOLUTION, SENATOR JOHNSON, LR402. THAT WILL BE LAID OVER. SENATOR CAMPBELL HAS SELECTED LB746 AS HER PRIORITY BILL FOR THE SESSION, AND A HEARING NOTICE FROM THE BANKING, COMMERCE AND INSURANCE COMMITTEE SIGNED BY SENATOR SCHEER AS CHAIR. (LEGISLATIVE JOURNAL PAGES 247-249.) [LB908 LB909 LB910 LB911 LB912 LB913 LB914 LB915 LB916 LB917 LR402 LB746]

MR. PRESIDENT, RETURNING TO LB47, SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE TAKEN WITH RESPECT TO THE BRACKET MOTION. [LB47]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR RECONSIDERATION. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I'D LIKE TO ASK SENATOR MORFELD A QUESTION OR TWO. [LB47]

SPEAKER HADLEY: SENATOR MORFELD, YOU'RE RECOGNIZED. [LB47]

SENATOR CHAMBERS: SENATOR MORFELD, ARE YOU A LAWYER? [LB47]

SENATOR MORFELD: I AM. [LB47]

SENATOR CHAMBERS: AND I KNOW YOU ARE. DID YOU HEAR THE DISCUSSION BETWEEN ME AND SENATOR WATERMEIER ABOUT WHAT AN EMPLOYEE WITH THE DEPARTMENT OF MOTOR VEHICLES WILL DO IF A PERSON DOES NOT CHECK ANYTHING ON THAT APPLICATION? [LB47]

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SENATOR MORFELD: I HEARD PART OF IT. YOU MAY HAVE TO REITERATE SOME OF IT OR SUMMARIZE. [LB47]

SENATOR CHAMBERS: HE SAID THAT THE EMPLOYEE WILL PRESUME THAT THE PERSON DIDN'T MEAN TO ANSWER AND WILL THEN PUT THE CHECK ON THE APPLICATION. DO YOU THINK THE STATE EMPLOYEE OUGHT TO PUT A CHECK ON AN APPLICATION WHICH IS SIGNED BY SOMEBODY ELSE WHEN THE ONE WHO SIGNED IT DID NOT PUT THAT CHECK? YOU'RE A LAWYER AND AN HONEST MAN, I THOUGHT UP UNTIL NOW. WHY DO YOU HESITATE? (LAUGHTER) [LB47]

SENATOR MORFELD: I'M NOT FAMILIAR ENOUGH WITH THAT STATUTORY AREA OF LAW TO BE ABLE TO SAY WHETHER OR NOT THAT WOULD BE IMPERMISSIBLE. I'D HAVE TO READ IT A LITTLE BIT CLOSER, BUT... [LB47]

SENATOR CHAMBERS: WELL, LET'S SIMPLIFY IT AND DON'T MAKE IT LAW, JUST A MATTER OF HONESTY AND FORTHRIGHTNESS. IF YOU FILED AN APPLICATION AND YOU SIGN IT, IS THE PRESUMPTION THAT WHATEVER IS NOT PRINTED, YOU KNOW, AS A PART OF THE PRINTED APPLICATION, BUT WRITTEN WAS WRITTEN BY YOU? [LB47]

SENATOR MORFELD: YES. [LB47]

SENATOR CHAMBERS: WELL, IF YOU DID NOT PUT THE CHECK AND SOMEBODY ELSE PUT THE CHECK THERE, THAT'S NOT A PROPER REPRESENTATION OF WHAT YOU DID WITH THAT APPLICATION, IS IT? [LB47]

SENATOR MORFELD: THAT'S CORRECT. [LB47]

SENATOR CHAMBERS: AND YOU THINK THAT'S THE WAY IT SHOULD BE UNDER THIS LAW? [LB47]

SENATOR MORFELD: NO, I DO NOT NECESSARILY BELIEVE THAT. [LB47]

SENATOR CHAMBERS: WELL, SENATOR, THAT'S WHY PEOPLE NEED TO BE ON THE FLOOR. SENATOR WATERMEIER SAID THAT THE DEPARTMENT EMPLOYEE...FIRST OF ALL, THE LAW MANDATES THAT YOU CHECK YES, NO, OR CHOOSES NOT TO ANSWER. IF YOU DON'T CHECK ANY ONE OF THOSE BOXES, YOUR APPLICATION IS REJECTED AND YOU CANNOT GET A DRIVER'S LICENSE. SO WHAT THE

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DEPARTMENT EMPLOYEE IS TO DO IF YOU DON'T CHECK ANY OF THEM IS TO CHECK CHOOSES NOT TO ANSWER, WHICH IS NOT ALLOWED UNDER THE LAW. THAT EMPLOYEE IS ENGAGING IN FALSEHOOD, ISN'T THAT EMPLOYEE? [LB47]

SENATOR MORFELD: MOST LIKELY, YES. [LB47]

SENATOR CHAMBERS: AND YOU AGREE WITH THAT, CORRECT? [LB47]

SENATOR MORFELD: IF THE STATUTE IS LAID OUT IN THAT WAY AND THAT'S WHAT THE EMPLOYEE DOES, THEN I AGREE WITH YOU. [LB47]

SENATOR CHAMBERS: YOU AGREE THAT THE EMPLOYEE SHOULD DO THAT? [LB47]

SENATOR MORFELD: I AGREE THAT THAT IS A FALSEHOOD... [LB47]

SENATOR CHAMBERS: OH, OKAY. [LB47]

SENATOR MORFELD: ...UNDER THE APPLICATION AND A MISREPRESENTATION, PERHAPS, OF THE PERSON WHO DID NOT FILL OUT THAT PORTION OF THE APPLICATION. [LB47]

SENATOR CHAMBERS: THANK YOU. AND WHILE WE LEGISLATE, WE'RE DEALING WITH INTEGRITY AND HONESTY AND NOT FINDING WAYS TO SKIRT THE LAW. EVERYBODY IN HERE KNOWS THAT. BUT MAYBE THEY DON'T. SO I'D LIKE TO ASK MY GOOD FRIEND SENATOR WILLIAMS, FOR WHOM I HAVE PROFOUND RESPECT, TO ANSWER A QUESTION OR TWO. [LB47]

SPEAKER HADLEY: SENATOR WILLIAMS, WILL YOU YIELD TO A QUESTION? [LB47]

SENATOR WILLIAMS: CERTAINLY. [LB47]

SENATOR CHAMBERS: SENATOR WILLIAMS, YOU'RE NOT A LAWYER, IS THAT CORRECT? [LB47]

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SENATOR WILLIAMS: THAT'S NOT TRUE. I AM A LAWYER. I'M SORRY THAT I HAD TO TELL YOU THAT, BUT (LAUGHTER)... [LB47]

SENATOR CHAMBERS: WAIT A MINUTE. BUT HERE'S THE THING. WAIT A MINUTE. I'M NOT THROUGH YET. YOU COULD HAVE NOT ANSWERED AND NOBODY WOULD KNOW YOU'RE A LAWYER IF YOU HADN'T VOLUNTEERED THAT STATEMENT, ISN'T THAT TRUE? [LB47]

SENATOR WILLIAMS: YES. [LB47]

SENATOR CHAMBERS: BUT YOU CHOSE TO MAKE THE RECORD COMPLETE BY DECLARING YOURSELF TO BE A LAWYER. [LB47]

SENATOR WILLIAMS: CORRECT. [LB47]

SENATOR CHAMBERS: NOW, SENATOR WILLIAMS, YOU HEARD ALL THE DISCUSSION BETWEEN MYSELF AND SENATOR WATERMEIER. IF SOMEBODY ELSE PUTS A MARK ON MY APPLICATION AND THE MARK IS AN ANSWER, IT IS...AND THE MARK SIGNIFIES I ANSWERED A CERTAIN WAY, THAT'S NOT CORRECT, IS IT? IT'S NOT TRUE. [LB47]

SENATOR WILLIAMS: I WANT TO BE SURE THAT I UNDERSTAND. IF THE QUESTION IS DID...DO YOU CHOOSE TO ANSWER, AND YOU JUST DON'T, THEN I DO NOT HAVE A PROBLEM WITH THE PERSON PUTTING A CHECK MARK ON THAT. [LB47]

SENATOR CHAMBERS: BUT THE ONE WHO FILLS OUT THE APPLICATION IS THE ONE WHO'S SUPPOSED TO MARK IT. [LB47]

SENATOR WILLIAMS: IN A PERFECT WORLD, BUT THERE ARE TIMES AND CERTAINLY WITH THE DISCUSSION THAT'S BEEN HAD WITH THE CONSTITUTIONAL ARGUMENTS THIS MORNING, I UNDERSTAND THAT SOMEONE COULD STAND THERE AND SIMPLY NOT CHECK ANY BOX. [LB47]

SENATOR CHAMBERS: SO THEN THE BOX... [LB47]

SENATOR WILLIAMS: AND WE WOULD NOT WANT TO DENY THEM THE OPPORTUNITY TO... [LB47]

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SENATOR CHAMBERS: NO, YOU WENT TOO FAR. YOU'RE AN HONEST MAN, REMEMBER. AND I'M DEALING WITH YOU AS AN HONEST MAN NOW, NOT AS SOMEBODY FOR WHOM I HAVE A LOT OF RESPECT. YOU... [LB47]

SENATOR WILLIAMS: I HOPE THOSE TWO AREN'T EXCLUSIVE. [LB47]

SENATOR CHAMBERS: ALL OF YOU ALL UNDERSTAND WHAT I'M DOING. THAT DOCUMENT UNDER THIS LAW REQUIRES YOU TO PUT THAT X, AND YOU DID NOT DO IT. WHAT RIGHT DOES A STATE EMPLOYEE HAVE TO PUT SOMETHING THERE TO INDICATE YOU PUT IT THERE WHEN YOU DIDN'T? WHAT RIGHT MORALLY, ETHICALLY, OR LEGALLY? IF WE HAVE A LAW WHERE WE HAVE TO PAUSE BEFORE WE GIVE AN HONEST ANSWER, WHAT KIND OF LAW IS IT? BUT YOU THINK THAT THE EMPLOYEE SHOULD HAVE THE AUTHORITY TO DO THAT AND IT DOESN'T VIOLATE THIS LAW. THAT'S YOUR OPINION, RIGHT? [LB47]

SENATOR WILLIAMS: THAT IS MY OPINION. IT DOES NOT BOTHER ME THAT THEY WOULD CHECK THAT BOX. [LB47]

SENATOR CHAMBERS: THEN WHY DON'T YOU SAY PUT ALL THIS MESS IN THE OPTIONAL ANSWERS SO YOU DON'T PUT THE EMPLOYEE THERE? BUT THAT'S ALL I'LL ASK YOU. I WOULD LIKE TO ASK SENATOR McCOLLISTER A QUESTION OR TWO IF HE WOULD ANSWER. [LB47]

SPEAKER HADLEY: SENATOR McCOLLISTER, WILL YOU YIELD TO A QUESTION? [LB47]

SENATOR McCOLLISTER: YES, SIR. [LB47]

SENATOR CHAMBERS: SENATOR McCOLLISTER, ARE YOU OR ARE YOU NOT A LAWYER? [LB47]

SENATOR McCOLLISTER: I AM NOT A LAWYER. [LB47]

SENATOR CHAMBERS: NOW I'M GOING TO ASK YOU THE WAY THEY ASK COMMUNISTS QUESTIONS, SUSPECTED COMMUNISTS. ARE YOU NOW OR HAVE YOU EVER BEEN A LAWYER? [LB47]

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SENATOR McCOLLISTER: NO, I HAVE NOT. [LB47]

SENATOR CHAMBERS: ARE YOU NOW OR DO YOU INTEND TO BE A LAWYER?  
[LB47]

SENATOR McCOLLISTER: NEVER IN MY LIFE. [LB47]

SENATOR CHAMBERS: NOW YOU'VE HEARD THIS DISCUSSION, HAVEN'T YOU?  
[LB47]

SENATOR McCOLLISTER: YES, I HAVE. [LB47]

SENATOR CHAMBERS: IF SOMEBODY ELSE CHECKS AN ANSWER ON MY  
APPLICATION, DOES THAT APPLICATION ACCURATELY REFLECT THE WAY I  
FILLED OUT THAT APPLICATION? [LB47]

SENATOR McCOLLISTER: NO. [LB47]

SENATOR CHAMBERS: THANK YOU. I'D LIKE TO ASK SENATOR HILKEMANN A  
QUESTION. [LB47]

SPEAKER HADLEY: SENATOR HILKEMANN, WILL YOU YIELD TO A QUESTION?  
[LB47]

SENATOR HILKEMANN: YES, I'LL YIELD. [LB47]

SENATOR CHAMBERS: NOW, SENATOR HILKEMANN, I WON'T ASK YOU THE  
LAWYER QUESTION. ARE YOU AWARE THAT THIS APPLICATION THAT I'M  
TALKING ABOUT IS ACTUALLY FILLED OUT MANUALLY BY THE PERSON MAKING  
THE APPLICATION, AND THAT PERSON IS NOT BEING ASKED QUESTIONS ORALLY,  
RESPONDING ORALLY, AND THE INTERLOCUTOR CHECKS THE ANSWER? YOU'RE  
AWARE THAT THIS IS A WRITTEN APPLICATION OF SOMEBODY WHO SIGNS IT?  
[LB47]

SENATOR HILKEMANN: YES, SIR, SENATOR CHAMBERS. [LB47]



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SENATOR CHAMBERS: NOW, IN ORDER FOR THAT APPLICATION TO BE AN ACCURATE REFLECTION OF WHAT I STATED, IF SOMEBODY ELSE CHECKS AN ANSWER TO THE QUESTION AND I DID NOT, DOES THAT APPLICATION ACCURATELY REFLECT THE WAY I FILLED OUT THE APPLICATION? [LB47]

SENATOR HILKEMANN: NO, IT DOES NOT. [LB47]

SENATOR CHAMBERS: AND I DIDN'T HAVE TO ASK YOU ALL THESE QUESTIONS TO GET THAT ANSWER, DID I? [LB47]

SENATOR HILKEMANN: NO, YOU DID NOT. [LB47]

SENATOR CHAMBERS: BUT PEOPLE KNOW HOW WE GET ALONG AND I DIDN'T WANT THEM TO THINK I WAS TREATING YOU DIFFERENTLY FROM THE WAY I DID THE OTHERS. BUT THANK YOU, SENATOR HILKEMANN. THAT'S ALL THAT I HAVE. MEMBERS OF THE LEGISLATURE, WHY SHOULD I HAVE TO GO THROUGH THIS? YOU KNOW WHY? BECAUSE YOU ARE AWARE THIS IS A BAD BILL, BUT YOU'RE AFRAID TO DO THE RIGHT THING. YOU'RE GOING TO TALK ABOUT HONESTY. BUT YOU WANT OUR EMPLOYEES TO BE DISHONEST. AND YOU WANT AN APPLICATION THAT I FILL OUT TO INACCURATELY REFLECT WHAT I SAID. SO I GO TO FILL OUT AN APPLICATION FOR A DRIVER'S LICENSE, AND I'VE MADE IT CLEAR ON THIS FLOOR, I'M NOT GOING TO ANSWER A QUESTION LIKE THAT. BUT I GET A DRIVER'S LICENSE. SO SOMEBODY SAYS WE'RE GOING TO CHECK HIS APPLICATION. AND ON THE APPLICATION, THAT ANSWER IS CHECKED, WHICH I DIDN'T DO. [LB47]

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB47]

SENATOR CHAMBERS: THEY HAVE MISREPRESENTED ME. THEY HAVE FALSIFIED MY APPLICATION. AND AS MUCH AS YOU ALL KNOW AND AS OLD AS YOU ALL ARE, YOU'RE GOING TO SIT THERE AND PRETEND YOU DON'T KNOW WHAT I'M TALKING ABOUT. YOU DO KNOW AND THAT'S WHY I HAVE SO MUCH CONTEMPT FOR ALL THIS TALK OF RELIGION. IT DOESN'T MEAN ANYTHING. YOU CANNOT HONESTLY ANSWER A QUESTION LIKE THIS WHEN YOU KNOW THAT YOU WERE ASKED THE QUESTION, WHAT DOETH IT PROFIT A MAN TO GAIN THE WORLD AND LOSE HIS SOUL? GAINING THE WORLD DOESN'T MAKE IT WORTHWHILE. BUT YOU'RE GOING TO GO FOR A BILL TO FALSIFY A DOCUMENT AND LOSE YOUR SOUL? I DON'T UNDERSTAND YOU ALL. THANK YOU, MR. PRESIDENT. [LB47]

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SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) YOU HAVE HEARD THE OPENING ON THE CHAMBERS MOTION TO RECONSIDER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, THE RIGHT NOT TO RESPOND HOLDS TRUE EVEN IN THIS BODY. WE ARE NOT FORCED TO RESPOND TO THIS. SENATOR BURKE HARR HAS NOT SPOKEN ON THIS ISSUE TODAY. SENATOR McCOY HAS NOT SPOKEN ON THIS ISSUE TODAY. THEY ARE NOT COMPELLED TO. WE WILL, AT SOME POINT, TAKE A VOTE. THEY HAVE THE RIGHT TO SIT HERE AND NOT VOTE, EVEN WHEN WE REQUEST A ROLL CALL VOTE. IF YOU WISH, YOU CAN SIMPLY WALK UP AND CHECK OUT. YOU ARE NOT REQUIRED TO SPEAK ON ANY ISSUE IN HERE, NOR SHOULD YOU BE REQUIRED TO ANSWER A QUESTION SUCH AS THIS ON YOUR DRIVER'S LICENSE. IT HAS NOTHING WHATSOEVER TO DO WITH YOUR ABILITY TO OPERATE A MOTOR VEHICLE. IT IS AN ABSOLUTE INFRINGEMENT UPON YOUR RIGHTS. AND I WOULD LIKE TO ASK SENATOR WATERMEIER A QUESTION IF HE WOULD YIELD. [LB47]

SPEAKER HADLEY: SENATOR WATERMEIER, WILL YOU YIELD TO A QUESTION? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. YOU SAID YOU HAD GOT ASSURANCES FROM THE DEPARTMENT THAT THEY WOULD NOT KEEP ANYBODY FROM GETTING THEIR DRIVER'S LICENSE IF THEY CHOSE NOT TO ANSWER ANY OF THE QUESTIONS. FROM WHOM DID YOU GET THAT ASSURANCE WITHIN THE DEPARTMENT, AND ARE THEY QUALIFIED TO COMMIT THE ENTIRE DEPARTMENT TO THAT ASSURANCE? [LB47]

SENATOR WATERMEIER: THE E-MAIL I HAVE DOES NOT HAVE A NAME ON IT. I'LL GET IT TO YOU PERSONALLY. AND I'LL JUST READ IT AGAIN. WHAT THEY ARE STATING IS THAT IF AN APPLICANT TELLS THE EMPLOYEE THAT THEY ARE NOT GOING ANSWER THAT QUESTION, THE WORKER CAN MARK ELECTS NOT TO ANSWER. THEY'VE ASKED THEM THAT QUESTION, WHICH HAS BEEN DEBATED SEVERAL TIMES ON THE FLOOR SINCE WE BROUGHT THIS UP. THEY ARE ASKING THEM THAT AND THEY SAY, NO, I CHOOSE NOT TO ANSWER IT, THEY'RE GOING TO... [LB47]

SENATOR BLOOMFIELD: WHO DID YOU GET THAT ASSURANCE FROM? [LB47]

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SENATOR WATERMEIER: WELL, I DON'T KNOW. IT'S AN E-MAIL FORWARDED FROM MY STAFF HERE. SO I WILL FIND OUT WHO GAVE IT TO ME. I DON'T KNOW IF IT WAS FROM RHONDA LAHM OR WHO IT WAS. SO I'LL GET TO IT. [LB47]

SENATOR BLOOMFIELD: SO WHAT WE HAVE AT THIS POINT IS AN ASSURANCE FROM SOMEBODY, WE DON'T KNOW WHO IS, THAT A DEPARTMENT WILL DO SOMETHING THAT MAY OR MAY NOT BE ILLEGAL. COLLEAGUES, DO WE REALLY WANT TO GO THERE? I DON'T THINK SO. THANK YOU, SENATOR WATERMEIER. MR. PRESIDENT, I YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. [LB47]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 2:16. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. AND I HATE TO SEE MY GOOD FRIEND SENATOR WATERMEIER PUT IN THIS POSITION. NOBODY COULD MAKE ME BE IN A POSITION LIKE THIS. IF I THOUGHT A BILL WAS GOOD AND I OFFERED IT AND WE HAD A DISCUSSION LIKE THIS AND I SAW WHAT THE BILL WAS, I'D SAY: WAIT A MINUTE, I HAVE TO SAY THAT I WASN'T AWARE OF THESE RAMIFICATIONS AND I'M PULLING THIS BILL. I WILL NOT BE A PART OF IT. BUT HE'S ONE OF THOSE PEOPLE WHO YOU CAN LET HIM KNOW THAT HE'S GOING THE WRONG WAY AND HE WILL NOT STOP, TURN AROUND, RETRACE HIS STEPS, AND DO THE RIGHT THING. YOU ALL KNOW GOOD AND WELL HOWEVER SENATOR WATERMEIER ANSWERS, HOWEVER SENATOR WILLIAMS WHOM I RESPECT WAFFLES, YOU ALL KNOW THE TRUTH, EVEN IF YOU DENY IT. AND THERE'S ONE YOU PROFESS TO BELIEVE IN, WHO KNOWS THAT YOU KNOW THE TRUTH AND YOU DENY IT. THAT'S WHAT I MEANT YESTERDAY WHEN I ASKED SENATOR KINTNER WHY IS IT SO IMPORTANT TO KEEP YOUR WORD TO SOMEBODY YOU'RE GOING TO ASK TO VOTE FOR YOU BUT YOU'LL BREAK YOUR WORD TO GOD. YOU ALL... [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...ARE THE ONES WHO MAKE THAT PROFESSION. THANK YOU, MR. PRESIDENT. DID YOU SAY TIME? [LB47]

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB47]

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SENATOR CHAMBERS: OH. I'M JUST TRYING TO HELP YOU THIS MORNING. YOU ARE PLACING YOUR IMMORTAL SOUL IN PERIL THIS MORNING. YOU CAN SAY EITHER THAT I'M DOING THE WORK OF THE LORD UNINTENTIONALLY, OR I'M DOING THE WORK OF THE DEVIL. BUT IF THE DEVIL WAS THE FATHER OF LIES AND A LIAR FROM THE BEGINNING, IF I'M DOING THE WORK OF A DEVIL, I'M MORE HONEST THAN ALL OF YOU. I DO NOT LET ANYBODY PUT ME IN A POSITION WHERE I HAVE TO TWIST AND TURN AND TORQUE MY MORAL PRINCIPLES IN ORDER TO GO ALONG WITH A BAD BILL. AND YOU ALL KNOW THAT A STATE EMPLOYEE SHOULD NOT DO THAT. AND WHEN I TURN IN THAT APPLICATION WITHOUT... [LB47]

SPEAKER HADLEY: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SPEAKER HADLEY: SENATOR WATERMEIER, YOU ARE RECOGNIZED. SENATOR WATERMEIER WAIVES. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. YOU ALL WILL NEVER SEE ME ON THIS FLOOR ADVOCATE FOR A POSITION THAT I DON'T BELIEVE IN. AND THAT'S WHY I WILL STAND SO FORCEFULLY, BECAUSE I BELIEVE IN WHAT I'M DOING AND SAYING. BUT I'M NOT OBDURATE, I AM NOT BULLHEADED, I AM NOT STUPID. AND IF YOU CAN SHOW ME CREDIBLE EVIDENCE THAT THAT POSITION I FORCEFULLY ADVOCATED IS WRONG, I WILL JUST AS FORCEFULLY ACKNOWLEDGE THAT IT WAS WRONG AND CHANGE. BUT WE DON'T HAVE PEOPLE OF INTEGRITY ON THE FLOOR OF THIS LEGISLATURE. AND THERE WAS A MAN, I THINK HIS NAME WAS RALPH WALDO EMERSON, WHO SAID THAT WHEN A MAN IS FALSE IN ONE PARTICULAR, HE IS FALSE IN ALL PARTICULARS. SO SENATOR WATERMEIER HAS MARKED HIMSELF THIS MORNING AND THE REST OF YOU ALL HAVE MARKED YOURSELVES. I HAVE, IF I CAN FIND IT, A COPY OF THE VOTE. THESE ARE THE PEOPLE WHO BELIEVE THAT THAT EMPLOYEE OUGHT TO FALSIFY A DOCUMENT AND OUGHT TO TAKE THE DOCUMENT THAT I SIGN THE WAY I WANT IT TO READ AND FALSIFY IT TO CREATE A FALSE IMPRESSION OF WHAT I DID. THESE ARE THE ONES WHO BELIEVE IN THAT DISHONESTY: BOLZ, BRASCH, COASH, CRAIGHEAD, CRAWFORD, DAVIS, FOX--I THOUGHT FOX WAS NOT VOTING, BUT ANYWAY--FRIESEN, GARRETT, GLOOR, GROENE, HAAR, HADLEY, HARR, HILKEMANN, HOWARD, HUGHES, JOHNSON, KINTNER--KOLOWSKI?--KOLOWSKI, KOLTERMAN, KUEHN, McCOLLISTER, McCOY, MORFELD, MURANTE, RIEPE, SCHEER, SCHILZ, SCHNOOR, SEILER, SMITH, STINNER,

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WATERMEIER, WILLIAMS. THE ONES NOT VOTING: BAKER, CHAMBERS, COOK, EBKE, HANSEN. ABSENT AND NOT VOTING: NONE. EXCUSED: CAMPBELL, LINDSTROM, MELLO. YOU ALL BELIEVE IN THE FALSIFICATION OF THAT DOCUMENT. I'M GOING TO STAY ON THIS AND I'M GOING TO KEEP REPEATING THAT FOR THE REST OF THE HOURS. YOU ALL BELIEVE IN THE FALSIFICATION OF THE DOCUMENT BY THE EMPLOYEE. THERE'S NOTHING IN THIS STATUTE THAT AUTHORIZES THE EMPLOYEE TO CHECK AN ANSWER WHICH THE ONE WHO IS FILING THE APPLICATION DID NOT CHECK. BUT YOU'RE GOING TO PASS SUCH A LAW TELLING THE EMPLOYEE, LIE. AND YOU KNOW THAT'S THE WAY IT'S GOING TO BE. YOU CANNOT SAY IT'S THROUGH INADVERTENCE THAT YOU MADE THIS VOTE. I WANT TO KEEP SAYING IT SO EVERYBODY KNOWS THAT ANYTHING YOU SAY ON THIS FLOOR IS THE WORD OF A LIAR. YOU MIGHT BE TELLING THE TRUTH IN THAT INSTANCE, BUT YOU ARE A LIAR. AND YOU BELIEVE IN LYING. YOU CAN'T SAY YOU DIDN'T KNOW. YOU'RE SAYING THAT IF I FILL OUT THIS APPLICATION, THAT YOU, AFTER I TURN IT IN, CAN KNOWINGLY AND INTENTIONALLY MISREPRESENT THE WAY I FILL THAT OUT BY FALSELY AND FRAUDULENTLY MARKING AN ANSWER... [LB47]

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB47]

SENATOR CHAMBERS: ...WHICH I DID NOT GIVE. WE'RE IN A LEGISLATURE. WE'RE NOT SOME DRUNKS ON THE CORNER ARGUING AND DISPUTING. YOU ALL DON'T HAVE TO LOOK UP ON THE CEILING FOR AN ANSWER. YOU LOOK UP ON THE CEILING FOR AN ANSWER AND YOU WANT GOD TO WRITE IT ON THE WALL, THE CEILING. OH, I KNOW WHY. THERE WAS A KING NAMED NEBUCHADNEZZAR AND HE WASN'T DOING THE RIGHT THING. SO GOD WAS THE FIRST GRAFFITIST. A HAND APPEARED AND WROTE ON THE WALL FOR NEBUCHADNEZZAR THE KING: MENE, MENE, TEKEL, UPHARSIN--THOU ART WEIGHED IN THE BALANCE AND FOUND WANTING. AND HIS KINGDOM WOULD BE TAKEN FROM HIM. SO WHEN YOU'RE LOOKING... [LB47]

SPEAKER HADLEY: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB47]

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SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. ONE OF THE GREAT PLEASURES OF BEING IN THIS BODY IS TO WATCH VOTES LIKE WE JUST HAVE AND TRIED TO BACK OUT THE PSYCHOLOGY AND THE REASONING AND THE VALUE SYSTEMS THAT GENERATE SUCH VOTES. AND I DON'T THINK THERE'S ANY DOUBT THAT WHAT THIS BILL IS ABOUT IS FACILITATING A SUPPLY OF ORGANS FOR TRANSPLANT. WHY ELSE ARE WE TALKING ABOUT IT? AND HOW DO WE FACILITATE IT WITHIN THE PARADIGM OF THIS BILL? WELL, YOU MARK A BOX ON A LETTER THAT YOU APPLY FOR A DRIVER'S LICENSE WITH. AND THE VOTE SAYS OF US THAT WE PLACE A HIGHER VALUE ON THE HARVESTING OF ORGANS, THAT THAT IS SUCH AN IMPORTANT SOCIAL OBJECT, THAT WE HARVEST ORGANS FOR TRANSPLANT, THAT WE ARE WILLING TO PUT THAT SUBSERVIENT...MAKE SUBSERVIENT TO THAT THE FREEDOM OF EXPRESSION. IN FACT, IT'S SUCH AN IMPORTANT THING TO BE ABLE TO HARVEST ORGANS FOR TRANSPLANT THAT WE ARE WILLING TO LOOK THE OTHER WAY ON EMPLOYEES "PHONY-FACTING" AN APPLICATION. IT'S THAT IMPORTANT, ACCORDING TO THAT VOTE. WHAT IS THAT TELLING US ABOUT OURSELVES? IS IT A GOOD THING THAT IT'S THAT IMPORTANT? IS IT A BAD THING THAT IT'S THAT IMPORTANT? SENATOR MORFELD, WOULD YOU YIELD TO A QUESTION? [LB47]

SPEAKER HADLEY: SENATOR MORFELD, WILL YOU YIELD? [LB47]

SENATOR MORFELD: YES, I WILL. [LB47]

SENATOR SCHUMACHER: IF A PERSON CHECKS, YES, MY ORGANS ARE AVAILABLE FOR TRANSPLANT, AND HE IS THE VICTIM OF A HEINOUS MURDER-- SOMEBODY BLOWS HIS HEAD OFF, CHOPS HIS HEAD OFF--AND ASSUMING THE COUNTY ATTORNEY DOESN'T ORDER AN AUTOPSY FOR PROSECUTION PURPOSES, WOULD THIS ALLOW THE TAKING OF THOSE ORGANS FOR TRANSPLANT? [LB47]

SENATOR MORFELD: THAT WOULD LIKELY BE AN INTERPRETATION THAT WOULD HAVE TO BE MADE BY A COURT, SENATOR. [LB47]

SENATOR SCHUMACHER: WELL, WAIT A MINUTE, WAIT A MINUTE. THIS BODY IS LAYING THERE. IT'S BLED OUT. WE'VE GOT TO GET THOSE KIDNEYS NOW OR IT'S NO GOOD. IS IT OR ISN'T IT? WE AREN'T GOING TO GO TO A JUDGE. [LB47]

SENATOR MORFELD: WELL, UNLESS IT'S SPECIFICALLY PRESCRIBED IN THE STATUTE WHAT WOULD HAPPEN IN THAT CASE, THERE COULD BE A LEGAL

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DISAGREEMENT TO THAT EFFECT AND THEY MAY HAVE TO LITIGATE IN COURT.  
[LB47]

SENATOR SCHUMACHER: WELL, WAIT A MINUTE. WHAT GOOD IS ALL THIS THEN IF EVERY TIME YOU HAVE A MARK IN THIS DRIVER'S LICENSE SAYING TAKE MY ORGANS, SOMEBODY COULD ARGUE? YOUR HEIRS COULD ARGUE. SOME RELIGIOUS FANATIC COULD ARGUE THAT THIS SHOULDN'T BE THE CASE HERE. I MEAN, ARE YOU SAYING THAT IN YOUR LEGAL OPINION EVERY ONE OF THESE CARDS IS SUBJECT TO LITIGATION WHEN IT'S MARKED ON YOUR DRIVER'S LICENSE, TAKE MY ORGANS? [LB47]

SENATOR MORFELD: I DID NOT SAY THAT, SENATOR. WHAT I SAID WAS IN YOUR SPECIFIC FACT PATTERN, IF IT IS NOT SPECIFICALLY PRESCRIBED IN STATUTE WHAT THE REMEDY IN THAT SPECIFIC INSTANCE WOULD BE, THERE COULD BE A LITIGABLE ARGUMENT. [LB47]

SENATOR SCHUMACHER: THE LAWYERS HAVEN'T EVEN HAD TIME TO GET INVOLVED YET. THE DOCTORS ARE THERE. THERE'S A BODY LAYING THERE. YOU EITHER ACT OR YOU DON'T ACT. THERE'S A LITTLE PLAYBOY...PLAYMATE COOLER THAT HAS ICE IN IT READY FOR THAT. DOES THIS AUTHORIZE THE DOCTORS TO TAKE THE ORGAN OUT OF THE... [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR SCHUMACHER: ...PERSON WHO HAD THEIR HEAD SEVERED, A HEINOUS CRIME? [LB47]

SENATOR MORFELD: IT COULD POTENTIALLY. I WOULD HAVE TO LOOK INTO THE CASE LAW AND I'D HAVE TO LOOK INTO HOW THE STATUTE WAS CARRIED OUT IN OTHER INSTANCES UP TO THIS POINT. I'M NOT AN EXPERT IN THIS AREA OF LAW. [LB47]

SENATOR SCHUMACHER: THIS IS EVEN A MORE INTERESTING EXPERIMENT IN PSYCHOLOGY AND GETTING INTO HOW WE VALUE THESE THINGS. WHY EVEN HEDGE ON WHETHER OR NOT? I MEAN IT DOESN'T EVEN TAKE A LAWYER TO FIGURE THAT ONE OUT. OF COURSE THEY CAN TAKE IT. HEINOUSNESS OF THE CRIME OR HEINOUSNESS OF THE DEATH OR UGLINESS OF THE SITUATION HAS

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NOTHING TO DO WITH IT. THIS IS GETTING TO BE TRULY INTERESTING. THANK YOU, SENATOR CHAMBERS. THANK YOU, MEMBERS. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. IF YOU LOOK BACK AT THE BILL, YOU'LL SEE THAT IT CAME OUT OF COMMITTEE PRETTY STRONGLY. I HAVE TALKED WITH SOME MEMBERS OF THAT COMMITTEE, WHO I WILL NOT NAME, THAT ARE ACTUALLY HAVING SECOND THOUGHTS. COLLEAGUES, IT IS NOT IMPOSSIBLE TO REVERSE A POSITION THAT YOU HAVE TAKEN ONCE MORE INFORMATION IS LAID OUT. TAKE A LOOK AT WHAT WE'RE DOING HERE. LISTEN TO THE ARGUMENTS THAT HAVE BEEN MADE LEGALLY AS TO WHETHER OR NOT WE ARE ENCOURAGING A STATE EMPLOYEE TO LIE, TO FALSIFY AN APPLICATION. IF WE ALLOW THAT INDIVIDUAL CLERK, OR WHATEVER IN THE COURTHOUSE, TO MARK THAT BOX THAT SAID HE DIDN'T ANSWER OR DIDN'T CHOOSE TO ANSWER, WHAT'S THE DIFFERENCE BETWEEN THAT AND IF HE CROSSES OUT NO AND PUTS IN YES, SAME CLERK, SAME PIECE OF PAPER? WHAT HAVE WE JUST DONE? COLLEAGUES, THIS THING NEEDS A LOT OF WORK YET BEFORE IT'S READY FOR PRIME TIME. I THINK WE'RE FAR BETTER OFF TO GO BACK AND LEAVE IT VOLUNTARY AND MAYBE ALLOW OTHER PEOPLE TO VOLUNTEER. MAKE IT AN OPTION, NOT A MANDATE FROM THE STATE. I'D YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. [LB47]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 3:08. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. AND THAT WAS A PROFOUND POSSIBILITY THAT YOU RAISED. REMEMBER, WE HAVE A LINE AND THERE ARE THREE BOXES: ONE SAYS NO, ONE SAYS YES, ONE SAYS DECLINES TO ANSWER. SUPPOSE THE CLERK IS LIKE SENATOR WATERMEIER OR LIKE ALL OF THESE PEOPLE. THE CLERK IS LIKE SENATOR BOLZ; BRASCH; COASH; CRAIGHEAD; CRAWFORD; DAVIS; FOX; FRIESEN; GARRETT; GLOOR; GROENE; HAAR, K.; HADLEY; HARR, B.; HILKEMANN; HOWARD; HUGHES; JOHNSON; KINTNER; KOLOWSKI; KOLTERMAN; KUEHN; McCOLLISTER; McCOY; MORFELD; MURANTE; RIEPE; SCHEER; SCHILZ; SCHNOOR; SEILER; SMITH; STINNER; WATERMEIER; AND WILLIAMS. THE CLERK IS LIKE THEM. SO INSTEAD OF CHECKING THE BOX THAT SAYS DECLINES TO ANSWER, THE CLERK CHECKS YES. THE CLERK CHECKS YES. THEN WHEN TIME COMES FOR THE ORGANS TO BE HARVESTED OR NOT, THEY LOOK AT THIS DOCUMENT.



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AND IT SAYS YES. AND THE FAMILY SAYS, THAT'S NOT RIGHT. WE HAVE A STATEMENT WHERE THIS MAN SAID--OR WOMAN--I AM TO BE CREMATED WITHIN AN HOUR OF MY DEATH BEING CERTIFIED. HE WOULD NOT HAVE CHECKED THAT HE'S GOING TO GIVE HIS ORGANS. BUT THE CLERK FELT, LIKE SENATOR WATERMEIER, THAT IT'S IMPORTANT TO GET THESE ORGANS SO HE FALSIFIED THE DOCUMENT AND SAID TAKE THE ORGANS WHEN THE PERSON DIDN'T WANT THAT DONE. AND THE PERSON HAD SUCH STRONG CONVICTIONS, THAT HE OR SHE... [LB47]

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB47]

SENATOR CHAMBERS: ...WOULD NOT EVEN ANSWER THE QUESTION ONE WAY OR THE OTHER OR INDICATE THAT HE OR SHE REFUSED TO ANSWER, WOULD NOT PAY OBEISANCE TO ANY OF THOSE POSSIBILITIES. SO CLERKS FALSIFY AND YOU GET ORGANS. AND YOU ALL WOULD LOOK THE OTHER WAY AND SAY, WELL, THAT'S OKAY BECAUSE THE END ACHIEVED IS GOOD AND IT JUSTIFIES WHAT WAS DONE, JUST LIKE YOU ALL WOULD PROBABLY AGREE WITH THAT CLERK WHO SAID, DESPITE WHAT THE SUPREME COURT SAID, NO SAME-SEX MARRIAGE LICENSES WILL BE ISSUED; OR LIKE THAT IDIOT JUDGE IN ALABAMA OR GEORGIA WILL DO, TELL THE CLERKS, DESPITE WHAT THE U.S. SUPREME COURT SAID, DON'T ISSUE ANY OF THOSE LICENSES. YOU ALL AGREE WITH THAT. THEN WHEN IT COMES TO GUNS, YOU TALK ABOUT LAW-ABIDING PEOPLE AND YOU DON'T EVEN THINK THE LAW OUGHT TO BE ABIDED WITH. [LB47]

SPEAKER HADLEY: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) SENATOR CHAMBERS, YOU ARE RECOGNIZED. SENATOR BRASCH, I'M SORRY, YOU'RE RECOGNIZED. SENATOR CHAMBERS, YOU'RE RECOGNIZED. I'M SORRY. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, PEOPLE WHO KNOW THE LAW ARE FAMILIAR WITH THE PRINCIPLE OF FRUIT FROM THE POISONED TREE. THIS HAS TO DO WITH AN ILLEGAL SEARCH AND SEIZURE. IF THERE IS A SEARCH AND SEIZURE CARRIED OUT CONTRARY TO THE CONSTITUTION, THEN ANYTHING DERIVED OR OBTAINED AS A RESULT CANNOT BE USED AS EVIDENCE AGAINST A PERSON FOR

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ANY PURPOSE. THAT'S BECAUSE WHAT WAS DERIVED IS THE FRUIT FROM A POISONED TREE. THE POISONED TREE COMPRISES THE ILLEGAL SEARCH AND SEIZURE. THE SEARCH AND SEIZURE WERE ILLEGAL BECAUSE THEY VIOLATED THE CONSTITUTION, SOMETHING YOU ALL DON'T EVEN RESPECT BUT YOU'LL BE YAKETY-YAKKING ABOUT THE SECOND AMENDMENT TO THE CONSTITUTION BECAUSE YOU WANT EVERYBODY TO CARRY A GUN. YOU SEE HOW EMPTY THIS CHAMBER IS? WHERE ARE THE SENATORS? THEY DON'T WANT TO DEAL WITH THIS ISSUE BECAUSE THEY BELIEVE IN BACKING LYING. THE DEVIL WAS THE FATHER OF LIES, IS THE FATHER OF LIES. YOU HAVE TO MAKE IT PRESENT TENSE BECAUSE SOME CHURCHES REQUIRE A PERSON TO SAY HE OR SHE BELIEVES IN THE DEVIL. THE DEVIL IS THE FATHER OF LIES. THE DEVIL WAS A LIAR FROM THE BEGINNING. BUT THAT, EVEN THOUGH IT'S IN THE BIBLE, IS NOT TRUE, EVEN BASED ON WHAT THE BIBLE SAID, BECAUSE BEFORE LUCIFER FELL, HE WAS ONE OF THE THREE ARCHANGELS. THE OTHERS WERE MICHAEL AND GABRIEL. AND LUCIFER WAS THE ANOINTED CHERUB THAT COVERETH. LUCIFER WAS REFERRED TO AS: O SON OF THE MORNING. LUCIFER WAS NOT A LIAR FROM THE BEGINNING. SO THE BIBLE MISSTATED OR CONTRADICTED ITSELF. BUT LET'S SAY THAT THE DEVIL WAS A LIAR FROM THE BEGINNING AND THE FATHER OF LIES. AND JESUS TOLD THESE PEOPLE WHO WERE LIARS, YOU ARE OF YOUR FATHER, THE DEVIL. I'M TELLING YOU WHAT THE JESUS YOU ALL WORSHIP TOLD YOU. WHEN YOU GO ALONG WITH LIES, YOU ARE OF YOUR FATHER, THE DEVIL. SO I'M NOT GOING TO CALL THIS THE LEGISLATIVE CHAMBERS ANYMORE BECAUSE SOME PEOPLE THINK THAT THE PLURAL "CHAMBERS" IS REFERRING TO ME, ERNIE CHAMBERS. BUT THIS OUGHT TO BE CALLED THE SYNAGOGUE OF SATAN BECAUSE THOSE WHO ARE SATAN'S CHILDREN OCCUPY THIS PLACE. AND WHY ARE THEY SATAN'S CHILDREN? BECAUSE THEY ARE OF THEIR FATHER, THE DEVIL. AND WHAT MAKES THEM OF THEIR FATHER, THE DEVIL? BECAUSE THEY TRADE IN LIES AND FALSEHOOD. AND THAT'S WHAT JESUS SAID. AND THEY PRAY TO JESUS. THEY WORSHIP JESUS, BUT THEY FOLLOW THE DEVIL. YOU ALL REMIND ME OF ANOTHER LITTLE STORY FROM THE BIBLE. THIS WOMAN HAD TWO SONS AND ONE OF THEM WAS HER FAVORITE. THEY WERE TWINS. BUT ONE CAME OUT BEFORE THE OTHER, SO NATURALLY, THAT ONE WAS THE OLDER. HIS NAME WAS ESAU. AND WHEN HE CAME OUT, HE WAS HAIRY, WHEN HE CAME OUT. SO MAYBE... [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...MAYBE ESAU WAS HALF-APE, HALF-PERSON, AND ESAU WAS THE MISSING LINK. BUT AT ANY RATE, ESAU CAME OUT AND JACOB GRABBED HIS HEEL AND SAID, ESAU, IF YOU'RE LEAVING, I'M COMING WITH

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YOU. AND WHEN ESAU CAME OUT, THERE WAS JACOB HOLDING ON TO HIS HEEL AND HE CAME OUT TOO. WELL, UNDER THE TRADITIONS IN THOSE DAYS, A BLESSING WAS GIVEN TO THE ELDER SON, THE ELDEST SON AND THAT WOULD HAVE BEEN ESAU. WHEN ESAU'S FATHER WENT BLIND AND WAS GOING TO DELIVER THE BIRTHRIGHT, THE MOTHER FAVORED JACOB. AND SHE WANTED JACOB TO GET THE BLESSING. SO THE MOTHER AND SON CO-CONSPIRED TO DECEIVE THE FATHER. AND THE NEXT TIME I'LL SPEAK...IS THIS MY SECOND OR THIRD TIME, MR. PRESIDENT? [LB47]

SPEAKER HADLEY: SECOND TIME. [LB47]

SENATOR CHAMBERS: THEN I'LL PUT MY LIGHT ON AGAIN AND I'LL STOP AT THIS POINT. [LB47]

SPEAKER HADLEY: TIME. THANK YOU, SENATOR CHAMBERS. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB47]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I SEE THE ROOM IS THINNING OUT A LITTLE BIT HERE AS THIS DIALOGUE AND DEBATE LINGERS ON. AND I DID NOT INTEND TO SPEAK UNTIL OUR GOOD COLLEAGUE SENATOR SCHUMACHER BROUGHT THIS BILL AKIN TO SOME HORROR SHOW OF BODY SNATCHERS, AMBULANCE DRIVERS, OTHER...I WANT TO BE PERFECTLY CLEAR, WE ARE TALKING ABOUT TWO MATTERS HERE. ONE IS THE DISPUTE OVER YOUR RIGHTS TO JUST SAY NOTHING. AND THE OTHER IS THE OPPORTUNITY HERE TO HELP SUPPORT THOSE WHO ARE AT THE END OF LIFE, CATASTROPHICALLY, ANY LEGAL MEANS HERE, TO CHOOSE AND MAKE IT RECORD THAT THEY WOULD LIKE THEIR ORGANS AND TISSUES DONATED. THAT'S SIMPLE. THAT IS SO SIMPLE. THEY HAVE, AT THE END OF LIFE, THE OPPORTUNITY TO SAVE A LIFE. AND WE ARE LOOKING AT TWO DIFFERENT PRINCIPLES. AND THEN I'M HEARING THE DEBATE HERE GO ON, WHAT IF, WHAT IF, WHAT IF, WHAT IF THIS, THEN THAT, AND WHAT IF? WELL, WHAT IF THIS IS ALSO AN ACT OF HUMAN KINDNESS, THE OPPORTUNITY TO HELP SAVE A LIFE OR MULTIPLE LIVES BECAUSE YOU CHOOSE TO? WE'RE LISTENING TO INSULTS, WE'RE LISTENING TO THE THREAT OF DAMNATION ON THIS. GOODNESS GRACIOUS! BUT WHAT IF WE CAN DO SOMETHING GOOD FOR SOMEONE WHOSE LIFE DEPENDS ON THOSE WHO CHOOSE AT THE END OF THEIR LIFE TO SAVE OTHERS. WHAT IF? WHAT IF WE ADD ON THE LINE TO CHECK THIS THAT, IN PARENTHESES, THE CLERK MAY ANSWER THAT QUESTION? WHAT IF WE ADDED THAT IN AN INSTRUCTION? I DON'T BELIEVE THEY'RE COMMITTING ANY KIND OF

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A CRIME IN SAYING THIS PERSON AND PUTTING IT ON THE INSTRUCTIONS IN THE WRITING--THE CLERK MAY CHECK THAT BOX. I DON'T KNOW WHAT IT WILL TAKE TO DO THAT. BUT, YOU KNOW, ASIDE FROM THE INSULTS, BEING CALLED LIARS, ASIDE FROM THE THREAT OF ETERNAL DAMNATION, ASIDE FROM THE FEARMONGERING THAT SENATOR SCHUMACHER IS THROWING IN OF ROGUE BODY SNATCHERS TAKING ORGANS, I THINK HE'S LINING UP FOR NEXT CAREER, UPON TERM LIMITS, IN THEATER AND STEVEN SPIELBERG MOVIES OF HORROR AND...RIGHT. AND WE ARE HAVING FUN WITH THIS; HE IS LAUGHING, FOR THOSE WHO CANNOT SEE. BUT THIS IS SERIOUS, VERY SERIOUS. WE HAVE AN OPPORTUNITY PERHAPS TO HAVE A FEW MORE PEOPLE REALIZE THEY NEED TO CHECK A BOX: YES, NO, OR NOPE, I DON'T WANT TO ANSWER. LET'S PUT ON THE INSTRUCTIONS THE CLERK MAY ANSWER, MAY CHECK THIS BOX FOR YOU IF YOU DON'T DO THAT. I MEAN... [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR BRASCH: ...THAT COULD BE INTERNAL. SO FOR THE SAKE OF NOT BEING CALLED A LIAR, NOT BEING CALLED A SECRET PERSON ON THE TRANSPORTATION COMMITTEE WHO DOESN'T WANT THEIR NAME THROWN OUT, MY POSITION HAS NOT CHANGED. I AM FOR TRANSPARENCY. I THINK IF THEIR POSITION CHANGES, THEY SHOULD SAY. THAT HAPPENS AND THAT'S A TRUTH. SO, COLLEAGUES, MR. PRESIDENT, THOSE WATCHING THIS INSTEAD OF A REALITY PROGRAM SOMEWHERE, THIS IS TURNING VERY INTERESTING. AND TIME MATTERS HERE, 60-DAY SHORT SESSION. LET'S GET ON WITH THE PEOPLE'S BUSINESS. LET'S MOVE FORWARD. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB47]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. SENATOR WATERMEIER, IF YOU'D YIELD TO A COUPLE OF QUESTIONS, PLEASE. [LB47]

SPEAKER HADLEY: SENATOR WATERMEIER, WILL YOU YIELD TO A QUESTION? [LB47]

SENATOR WATERMEIER: YES. [LB47]

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SENATOR HILKEMANN: SENATOR WATERMEIER, APPROXIMATELY HOW MANY STATES NOW MANDATE THIS QUESTION? [LB47]

SENATOR WATERMEIER: I THINK IN MY OPENING I SAID 33 STATES PLUS THE DISTRICT. [LB47]

SENATOR HILKEMANN: AND DO THE THREE...DO WE KNOW OR NOT KNOW IF THERE'S A THIRD OPTION ON THESE 33 STATES? [LB47]

SENATOR WATERMEIER: OH, I HAD THAT ON A SPREADSHEET. I CAN DIG THROUGH THAT AND FIGURE IT OUT. [LB47]

SENATOR HILKEMANN: OKAY. AND THEN I WANT TO GET A CLARIFICATION HERE FROM THIS CONVERSATION. YOU'RE SAYING THAT IT'S OKAY...OR YOU'RE NOT SAYING BUT YOU SAY THE STATUTES ARE THAT AN EMPLOYEE CAN ANSWER OR THEY CAN CHECK THIS CHECK BOX WITHOUT THE KNOWLEDGE OF THE PERSON WHO SIGNED THE DOCUMENT? [LB47]

SENATOR WATERMEIER: WE'RE NOT PUTTING IT IN STATUTE THAT THAT WILL BE OKAY. I HAVE A CONFIRMATION...AND I APOLOGIZE, I SAID I WOULD GET BACK TO SENATOR BLOOMFIELD ON THAT. I HAVEN'T YET JUST GOTTEN TO THE RIGHT PERSON, THAT THEY'RE BEING...I'M BEING TOLD THAT WHAT THEY'RE GOING TO DO IS IF THE PERSON CHOOSES...DOES NOT ANSWER YES OR NO, THE EMPLOYEE IS GOING TO ASK THEM, DID YOU CHOOSE TO NOT ANSWER YES OR NOT ANSWER NO? AND THEN THEY WILL CHECK THEY CHOSE NOT TO ANSWER IT. [LB47]

SENATOR HILKEMANN: IF THEY CHOSE THAT, WOULD THAT INDIVIDUAL THEN HAVE TO INITIAL THAT RESPONSE? [LB47]

SENATOR WATERMEIER: THAT'S NOT IN THE BILL. THAT'S NOT WHAT I'M ASKING THEM TO DO. [LB47]

SENATOR HILKEMANN: OKAY. YOU SEE, IN MY MEDICAL PRACTICE, IF ONE OF MY EMPLOYEES CHANGED THE DOCUMENT, THAT I CONSIDER...THAT WOULD BE A...THEY KNEW THAT THAT'S ONE WAY THEY COULD GET FIRED REALLY QUICKLY, BECAUSE I THINK THAT'S AN ACT OF FRAUD. IF A PERSON HAS SENT IN A DOCUMENT AND SIGNED THAT DOCUMENT, IF YOU CHANGE THAT DOCUMENT

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IN ANY WAY, IT'S LIKE ANY OTHER LEGAL DOCUMENT THAT YOU WOULD DO AT A BANK OR WHATEVER ELSE. IF YOU DID NOT ACKNOWLEDGE THAT THAT WAS DONE BY THE EMPLOYEE AND ALSO BY THE PERSON, THAT WOULD SEEM TO ME TO BE A POINT OF FRAUD. WOULD THAT BE WHAT...THAT'S HOW I WOULD INTERPRET THAT. [LB47]

SENATOR WATERMEIER: I MEAN IF THAT'S...I DON'T SEE A QUESTION THERE, BUT I GUESS THAT'S NOT THE WAY I'M INTERPRETING IT. [LB47]

SENATOR HILKEMANN: OKAY. SENATOR MORFELD, WOULD YOU YIELD TO A QUESTION? [LB47]

SPEAKER HADLEY: SENATOR MORFELD, WILL YOU YIELD? [LB47]

SENATOR MORFELD: YES. [LB47]

SENATOR HILKEMANN: IF YOU WILLFULLY CHANGE SOMEONE'S DOCUMENT THAT HAS ALREADY BEEN SIGNED WITHOUT THE KNOWLEDGE OF THAT PERSON, ISN'T THAT POSSIBLY THE DEFINITION OF FRAUD? [LB47]

SENATOR MORFELD: IT CERTAINLY COULD BE. AND TO BE HONEST WITH YOU, SENATOR, I'M NOT A CONTRACT ATTORNEY, SO I FEEL UNCOMFORTABLE ANSWERING THAT QUESTION WITH CERTAINTY. [LB47]

SENATOR HILKEMANN: OKAY, BECAUSE, YOU SEE, THEY MAY NOT MARK THAT THEY CHOOSE NOT TO RESPOND. WHAT'S GOING TO KEEP THEM FROM MARKING YES OR NO IF WE ALLOW THEM TO SAY, WELL, THEY CHOSE NOT TO ANSWER, WITHOUT THEIR KNOWLEDGE? I THINK WE'RE GOING DOWN A VERY SLIPPERY SLOPE ON THIS. AND THAT CONCERNS ME ON THIS PARTICULAR SITUATION. [LB47]

SENATOR MORFELD: CERTAINLY. ALTERING AN OFFICIAL DOCUMENT CERTAINLY COULD BE CONSIDERED SOME FORM OF FRAUD DEPENDING ON THE STATUTE AND THE APPLICABLE LAWS. [LB47]

SENATOR HILKEMANN: OKAY, THANK YOU. AS ONE WHO HAD TO DEPEND UPON THEIR RECORDS FOR THE LAST 37 YEARS, ANY CHANGE OF THOSE RECORDS, I CAN TELL YOU, WAS A HUGE PROBLEM PARTICULARLY IF YOU WERE

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CHALLENGED IN A MALPRACTICE CASE OR WHATEVER ELSE. I WOULD...TO ME, IF WE'RE SAYING TO EMPLOYEES THAT THAT'S OKAY TO DO, I HAVE A REAL PROBLEM WITH IT BECAUSE WHAT ABOUT SOME OTHER PLACE ON THAT DOCUMENT THAT COULD COME UP? [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR HILKEMANN: SO I'D LIKE TO GET SOME...AND I KNOW YOU SAID YOU'RE GOING TO PROVIDE THAT. I'LL BE INTERESTED IN SEEING WHAT THOSE...WHAT THE OTHER STATES HAVE DONE ON THAT ONE, SENATOR. THANK YOU. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR HILKEMANN. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I'D LIKE TO RESPOND TO SENATOR BRASCH JUST A LITTLE BIT. THIS IS THE PEOPLE'S BUSINESS. SHE SAID WE SHOULD GET ON WITH THE PEOPLE'S BUSINESS. COLLEAGUES, THIS IS DEFINITELY THE PEOPLE'S BUSINESS, WHETHER OR NOT WE ARE GOING TO FORCE THEM TO ANSWER A QUESTION THEY SHOULD NOT BE FORCED TO ASK. SHE ALSO MENTIONED AN ACT OF KINDNESS. I AGREE. VOLUNTEERING TO DO THIS, TO DONATE YOUR ORGANS IS AN ACT OF KINDNESS. IT CEASES TO BE AN ACT OF KINDNESS WHEN IT'S GOTTEN AT THE POINT OF A GUN. IF I COME UP AND ASK YOU FOR \$5 BECAUSE I'M HUNGRY AND YOU OFFER TO GIVE ME \$5, THAT'S QUITE A LOT DIFFERENT THAN IF I COME UP AND PUT A .45 IN YOUR RIBS AND SAY GIVE ME YOUR MONEY. COLLEAGUES, THAT'S WHAT WE'RE LOOKING AT HERE. WE ARE FORCING INDIVIDUALS TO DO THINGS THAT THEY MAY NOT CHOOSE TO DO. AND THE THIRD POINT, SENATOR BRASCH SAID THERE WERE TWO POINTS WE WERE DISCUSSING HERE, THERE IS A THIRD, AND THAT IS WHETHER OR NOT A CLERK AT THE COUNTY COURTHOUSE CAN CHANGE YOUR ANSWER OR YOUR REFUSAL TO ANSWER. I BELIEVE THAT ANSWER IS CLEARLY NO. THEY SHOULD NOT; THEY MUST NOT BE ALLOWED TO DO THAT. WHAT IS THE SENSE OF EVEN FILLING IT OUT? WHY NOT JUST LET THE CLERK FILL IT OUT FOR YOU? COLLEAGUES, BE VERY WARY OF WHERE WE GO HERE. IF YOU WILL NOTE, I HAVE NOT CALLED ANYONE INEPT, A LIAR, OR ANYTHING ELSE IN MY DISCUSSIONS. I DISCUSS THIS ON THE MERITS OF WHAT I BELIEVE TO BE POOR LEGISLATION THAT WE ARE ATTEMPTING TO FORCE UPON THE PEOPLE OF NEBRASKA. THANK YOU, MR. PRESIDENT. I YIELD MY TIME TO SENATOR CHAMBERS. [LB47]

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SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR CHAMBERS, YOU'RE YIELDED 2:22. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. AND I HAD SPOKEN THE LAST TIME I COULD. I HAVE A CLOSING. BUT IF ANYBODY WANTS TO YIELD ME TIME, FINE. IF NOT, I'M GOING TO KEEP OFFERING AMENDMENTS UNTIL WE RUN OUT OF TIME. SENATOR BLOOMFIELD, WHAT I SAID IS THAT THESE PEOPLE BELIEVE IN LYING. THEY BELIEVE THAT IT'S ALL RIGHT FOR A CLERK TO FALSIFY A DOCUMENT. AND WHEN SOMETHING IS FALSIFIED WITH THE INTENT TO DECEIVE, THAT'S A LIE. THEY DON'T HAVE A RIGHT TO DO THAT. AND WHETHER A PERSON IS TRAINED IN THE LAW OR NOT, WHEN A DOCUMENT HAS BEEN SIGNED, THEN NOBODY, NO THIRD PARTY, HAS A RIGHT TO COME IN AND CHANGE IT. IT'D BE LIKE I LEAVE A WILL AND I SAY, I DO LEAVE TO SO AND SO SUCH AND SUCH. AND AFTER THE WORD "DO," THEY PUT "NOT." "I DO NOT," BECAUSE THEY SAY, WELL, I KNOW THEY DIDN'T GET ALONG AND HE PROBABLY DIDN'T REALIZE THAT HE WAS GOING TO DIE BEFORE HE COULD CHANGE IT SO I'M GOING TO CHANGE IT. THEY WOULD SAY IMMEDIATELY THAT'S NOT RIGHT. SENATOR HILKEMANN POINTED OUT HOW WRONG IT IS TO MESS WITH OFFICIAL DOCUMENTS. [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR CHAMBERS: EVERYBODY ON THIS FLOOR KNOWS IT. BUT THE THING THAT SHOWS HOW WRONG THIS BILL IS, PEOPLE WHO ORDINARILY ARE VERY FORTHRIGHT AND ASSERTIVE IN THEIR POSITION NOW SHILLY-SHALLY AND CAN'T BE SURE AND DON'T KNOW THIS AND DON'T KNOW THAT. THEN I'M GOING TO START JUDGING EVERYTHING THEY SAY IN THAT FASHION, IS THAT WHAT I'M SUPPOSED DO? YOU THINK IT'S SO IMPORTANT TO GET THESE PEOPLE TO ANSWER, THAT FALSIFYING IS ALL RIGHT. THE RIGHT TO SPEAK INCLUDES THE RIGHT NOT TO SPEAK. YOU ARE TRYING TO COMPEL SPEECH. AND I DON'T CARE WHAT THIS FENNER SAID. HE DOESN'T UNDERSTAND THE LAW. OR MAYBE HE'S WITH ONE OF THESE AGENCIES WHERE THEY ARE VERY EAGER TO HARVEST THESE ORGANS. BUT WHATEVER HIS MOTIVATION IS, IT'S CLEAR HE DID NOT BRING HIS KNOWLEDGE OF THE LAW TO BEAR ON THIS ISSUE. [LB47]

SPEAKER HADLEY: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]



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SPEAKER HADLEY: ANYONE ELSE WISHING TO SPEAK ON THE MOTION TO RECONSIDER? SEEING NONE, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR MOTION TO RECONSIDER. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, THE REASON I OFFERED A MOTION TO BRACKET IS BECAUSE IT WAS A...IT IS A PRIORITY MOTION AND THERE WERE THINGS I FELT NEEDED TO BE SAID AT THAT TIME. BUT THERE STILL IS A HOST OF AMENDMENTS THAT I CAN OFFER. AND AS I SAID, THIS IS SUCH A SERIOUS MATTER FOR ME, IT'S GOING TO SPILL OVER ON TO OTHER BILLS. AND NOBODY CAN MAKE ME DO ANYTHING THAT I CHOOSE NOT TO DO. NOBODY CAN STOP ME FROM DOING WHAT I FEEL IT'S MY RESPONSIBILITY TO DO. SO I DON'T CARE. I DON'T CARE IF WE DON'T PASS A BILL THIS SESSION. I'M NOT THE SPEAKER, SO MY VIEW IS DIFFERENT FROM HIS. I DON'T CARE ABOUT SAVING TWO MINUTES ON A BILL ON FINAL READING. I DON'T CARE ABOUT STARTING AT 9:00 INSTEAD OF 10:00. AND I'LL TELL YOU WHAT I'M GOING TO DO, SINCE WE'RE BEING SO FULL OF INTEGRITY. I'M GOING TO DRAFT A RESOLUTION AND SUBMIT IT SAYING THAT THE LOBBYISTS CANNOT PROVIDE MEALS FOR YOU ALL WHILE WE'RE SAVING ALL THIS TIME. I WAS GOING TO OFFER IT BEFORE, BUT SOMEBODY PREVAILED ON ME NOT TO DO IT. I'M GOING TO DRAFT IT. I'M GOING TO PRESENT IT AND I WANT YOU ALL TO GO ON RECORD. AS SENATOR KINTNER AND SENATOR BRASCH AND SENATOR EBKE AND SENATOR CRAIGHEAD AND THE OTHERS WANT YOU ON RECORD FOR WHO YOU VOTE FOR TO BE HEAD OF A COMMITTEE, I WANT YOU ON RECORD AS TO WHETHER OR NOT YOU THINK YOU SHOULD SPONGE OFF OF THE LOBBYISTS. ARE YOU "LIEUTENANT LUNCH-HUNTER"? ARE YOU "CAPTAIN HUNGRY"? ARE YOU "MR. AND MS. MOOCHER"? I THINK WE SHOULD GO ON RECORD AND THEN WHEN WE STAY HERE THOSE LONG NIGHTS, YOU'RE GOING TO DO IT ON YOUR OWN. YOU CAN BRING A LUNCH MEAT SANDWICH, PUT IT IN YOUR POCKET, PUT IT IN YOUR OFFICE AND RUN DOWN THERE AND GRAB SOMETHING TO EAT. LEARN FROM THE SQUIRRELS AND THE CHIPMUNKS WHO HIDE THEIR FOOD AND THEN THEY GO DIG IT UP. THAT'S WHAT "SQUIRRELING AWAY" MEANS. DO YOU ALL WANT THAT RESOLUTION? I'M TALKING ABOUT INTEGRITY NOW. AND THAT ISSUE I INTEND TO KEEP RAISING THROUGHOUT THE SESSION. AND YOU OUGHT TO RAISE IT WITH ME TOO. AND WHEN YOU MAKE AN ACCUSATION, BE PREPARED TO BACK IT UP AND FOR WHAT COMES, IF YOU FALSELY ACCUSE. THE LAW THAT SOME PEOPLE IN THESE DAYS WANT TO FOLLOW TO JUSTIFY KILLING SOMEBODY, THE DEATH PENALTY IN OTHER WORDS, GO TO THE "BIBBLE" WHICH SAYS AN EYE FOR AN EYE AND A TOOTH FOR A TOOTH. BUT YOU KNOW WHAT THE RABBIS SAID? THAT'S NOT LITERAL. YOU DON'T TAKE THAT LITERALLY, BECAUSE IF I TAKE SOMEBODY'S EYE, THEY

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CANNOT BE ALLOWED TO TAKE MY EYE BECAUSE MY EYE MAY HAVE GREATER ACUITY THAN THE EYE OF THE ONE THAT I TOOK. SO YOU'RE CREATING AN INJUSTICE IF YOU PUNISH ME MORE SEVERELY THAN THAT POINT OF LAW SAYS. SO WE WILL NOT ALLOW YOU TO TAKE THE EYE OF ANOTHER PERSON. WE WILL MAKE YOU GIVE A COMPENSATION IN PLACE. SO WHATEVER THE VALUE OF THAT EYE WOULD HAVE HAD TO THAT PERSON, IF HE OR SHE HAS A TRADE OR WHATEVER AND THAT EYE IS ESSENTIAL, THEN THIS IS WHAT YOU'RE GOING TO HAVE TO PAY. BUT THAT WAS NEVER ENFORCED. BUT IT'S CONVENIENT BECAUSE THOSE PEOPLE WHO LOVE TO PUNISH AND INFLICT PAIN ON OTHERS WILL USE ANY EXCUSE THEY CAN FIND. AND THOSE WHO WANT TO IMPOSE THEIR VIEWS ON OTHERS... [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...WILL USE ANYTHING THEY CAN FIND. AND THOSE WHO THINK THE END JUSTIFIES THE MEANS WILL EXCUSE AND ENDORSE STATE EMPLOYEES LYING. AND YOU CAN CALL IT ANYTHING YOU WANT TO. BUT WHEN THAT EMPLOYEE IS GIVEN THAT DOCUMENT THAT'S SIGNED AND THAT DOCUMENT IS CHANGED AND THAT EMPLOYEE GIVES IT AS THE DOCUMENT OF THE PERSON WHO SIGNED IT, THAT IS A LIE. THAT IS UNTRUE. PUBLIC EMPLOYEES ARE STEWARDS OF THE PEOPLE. THEY ARE TRUSTEES. AND THE TRUSTEE OWES HONESTY, INTEGRITY TO THE BENEFICIARY OF THE TRUST. AND WHEN YOU FALSIFY A DOCUMENT THAT SOMEBODY IS REQUIRED BY LAW TO PRESENT, YOU HAVE ENGAGED IN A LIE. AND JESUS SAID WHEN YOU ENGAGE IN THAT, YOU ARE OF YOUR FATHER, THE DEVIL,... [LB47]

SPEAKER HADLEY: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: ...WHO WAS A LIAR FROM THE BEGINNING. I WILL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB47]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB47]

CLERK: 32 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL. [LB47]

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SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS HANSEN, HOWARD, KRIST, MURANTE, AND KINTNER, THE HOUSE IS UNDER CALL. SENATOR HOWARD AND SENATOR MURANTE, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. MR. CLERK, THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. [LB47]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 249-250.) 10 AYES, 25 NAYS, MR. PRESIDENT, ON THE MOTION TO RECONSIDER. [LB47]

SPEAKER HADLEY: THE MOTION TO RECONSIDER FAILS. MR. CLERK. RAISE THE CALL. [LB47]

CLERK: MR. PRESIDENT, SOME ITEMS. NEW BILLS. (READ LB918-922 BY TITLE FOR THE FIRST TIME.) MR. PRESIDENT, IN ADDITION, I HAVE A NEW RESOLUTION, LR403 BY SENATOR HANSEN. PURSUANT TO THAT INTRODUCTION, SPEAKER HADLEY WOULD MOVE THAT LR403 BE REFERRED TO REFERENCE COMMITTEE FOR REFERRAL TO STANDING COMMITTEE FOR PURPOSES OF CONDUCTING A PUBLIC HEARING. MR. PRESIDENT, THE GOVERNMENT COMMITTEE, HEARING NOTICE SIGNED BY SENATOR MURANTE AS CHAIR OF THE COMMITTEE. ANNOUNCEMENTS: REFERENCING WILL MEET UPON RECESS, AGRICULTURE WILL MEET AT 1:10 IN ROOM 2022. A SERIES OF NAME ADDS: SENATOR FOX TO LB884; SENATORS SULLIVAN, BAKER, BOLZ, KRIST, DAVIS, KUEHN TO LB166, ALONG WITH WILLIAMS, EBKE, HILKEMANN, AND WATERMEIER; SENATOR COASH WOULD LIKE TO ADD HIS NAME TO LB817; SENATOR KINTNER, LB868; SENATOR KOLTERMAN, LB691. (LEGISLATIVE JOURNAL PAGES 250-253.) [LB918 LB919 LB920 LB921 LB922 LR403 LB884 LB166 LB817 LB868 LB691]

MR. PRESIDENT, SENATOR SCHEER WOULD MOVE TO RECESS THE BODY UNTIL 1:30 P.M.

SPEAKER HADLEY: THE MOTION TO RECESS HAS BEEN MADE. ALL IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED, NAY. MOTION CARRIES.

RECESS

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SENATOR SCHEER PRESIDING

SENATOR SCHEER: GOOD AFTERNOON, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER. THE AFTERNOON SESSION IS ABOUT TO RECONVENE. SENATORS, PLEASE RECORD YOUR PRESENCE. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SENATOR SCHEER: THANK YOU, MR. CLERK. DO YOU HAVE ANY ITEMS FOR THE RECORD?

CLERK: I DO, MR. PRESIDENT, THANK YOU. A REFERENCE REPORT REFERRING LB853 THROUGH LB902 AS WELL AS THREE CONSTITUTIONAL AMENDMENT RESOLUTIONS. MR. PRESIDENT, PRIORITY BILL DESIGNATION: LB900, BY SENATOR BLOOMFIELD. THAT'S ALL THAT I HAVE. (LEGISLATIVE JOURNAL PAGES 254-255.) [LB900]

SENATOR SCHEER: THANK YOU, MR. CLERK. WE'LL PROCEED TO THE FIRST ITEM ON THE AFTERNOON'S AGENDA. MR. CLERK.

CLERK: MR. PRESIDENT, RETURNING TO LB47. SENATOR WATERMEIER, I UNDERSTAND, SENATOR, YOU WOULD WISH TO WITHDRAW AM938 AND OFFER, AS A SUBSTITUTE, AM1837. [LB47]

SENATOR WATERMEIER: YES, MR. CLERK, I WOULD. [LB47]

SENATOR SCHEER: ANY OBJECTION? SO NOTE IT APPROVED. [LB47]

CLERK: SENATOR WATERMEIER, AM1837. (LEGISLATIVE JOURNAL PAGES 255-256.) [LB47]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. MR. CLERK, APPRECIATE THE CLARIFICATION. I'M GOING TO OFFER AM1837 AND REPLACE THE OTHER ONE THAT WE WERE TALKING ABOUT FOR THIS MORNING, AND IT'S GOING TO DO THREE THINGS. IT'S GOING TO COMBINE A COUPLE BILLS. WE ALSO HAD ANOTHER BILL IN THERE TO CHANGE THE OPERATIVE DATE BECAUSE OF THE

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DISCUSSION LAST YEAR. AND THIS IS WORK IN PROGRESS YET. NOW HOPEFULLY I CAN EXPLAIN THIS PROPERLY. IF YOU WANT TO COME UP AND VISIT WITH ME PRIVATELY, THAT WOULD BE JUST FINE. BUT AM1837 DOES THREE THINGS. IT ADDS A THIRD OPTION TO THE MANDATORY QUESTION OF ELECTING TO NOT ANSWER YES, NO, OR ELECT TO ANSWER, BUT IT SPECIFICALLY STATES THAT THE APPLICANT'S REFUSAL TO RESPOND TO THIS QUESTION DOES NOT PRECLUDE THE DEPARTMENT FROM ISSUING A LICENSE. SO LET ME JUST MAKE THAT CLEAR. THEY WILL BE OFFERED THE OPPORTUNITY NOT TO ANSWER THE QUESTION, THEN PROCEED FORWARD, AND THEY WILL RECEIVE THE LICENSE AND SUCH. AND THEN A THIRD THING IT DOES IS IT PUSHES BACK THE OPERATIVE DATE BY ONE YEAR, DUE TO CARRYING THIS BILL OVER FROM LAST YEAR. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR WATERMEIER. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB47]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I AM GOING TO ASK SENATOR WATERMEIER EXACTLY WHAT IT IS HE'S TRYING TO DO. I HEARD WHAT HE SAID, BUT I DON'T GET IT. SO WOULD YOU EXPLAIN THAT? WELL, LET ME START WITH A QUESTION. YOUR AMENDMENT WOULD STILL MAKE IT MANDATORY THAT THIS...IN OTHER WORDS, THIS THAT YOU'RE TALKING ABOUT WOULD BE AMONG THE MANDATORY ITEMS. IS THAT TRUE, IT WOULD REMAIN MANDATORY? [LB47]

SENATOR SCHEER: EXCUSE ME. SENATOR WATERMEIER, WILL YOU YIELD FOR A QUESTION? [LB47]

SENATOR WATERMEIER: YES. YES, IT LEAVES IT IN THAT, IN THAT SECTION OF THE APPLICATION, AND I BROUGHT ONE OF THE APPLICATIONS WITH ME HERE TOO. IT LEAVES IN THAT SECTION OF THE MANDATORY QUESTIONS. [LB47]

SENATOR CHAMBERS: WHY IS IT THERE IF A PERSON DOESN'T HAVE TO ANSWER IT? MANDATORY MEANS YOU MUST. [LB47]

SENATOR WATERMEIER: WHAT WE'VE BEEN TALKING ABOUT THE WHOLE TIME IS THAT THEY'LL HAVE A CHANCE TO LOOK AT IT. IF IT'S IN THE OPTIONAL SECTION, THEY'D JUST BYPASS IT AND WERE NOT LOOKING AT IT. THAT'S THE GOAL OF THE BILL, IN ESSENCE, IS TO HAVE PEOPLE LOOK AT THE QUESTION, AND STILL BEHIND THE IDEA OF THE QUESTION BEING ASKED, DO YOU WANT

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MORE INFORMATION ON THIS BILL OR ON THE IDEA OF ORGAN DONATION.  
[LB47]

SENATOR CHAMBERS: WHY DON'T YOU JUST LEAVE IT IN THE OPTIONAL AREA,...  
[LB47]

SENATOR WATERMEIER: JUST WHAT I SAID THERE... [LB47]

SENATOR CHAMBERS: ...SINCE IT IS OPTIONAL? [LB47]

SENATOR WATERMEIER: JUST WHAT I SAID THERE, IF IT'S LEFT THERE, THERE  
WOULD BE NO REASON FOR THE BILL. [LB47]

SENATOR CHAMBERS: RIGHT. SO WITHDRAW THE BILL. THAT'S WHAT YOU  
OUGHT TO DO. [LB47]

SENATOR WATERMEIER: WE STILL BELIEVE THIS IS GOING TO BE HELPFUL IN THE  
PROCESS. [LB47]

SENATOR CHAMBERS: OKAY. MEMBERS OF THE LEGISLATURE, I'M STILL GOING  
TO FIGHT IT. WE ARE DEALING WITH A SHELL GAME. THESE PRIVATE ENTITIES  
ARE MAKING THE LEGISLATURE CHASE ITS TAIL LIKE THE PROVERBIAL MAD  
DOG DOES, RUNNING AROUND IN A CIRCLE TO PLACATE SOME GROUPS THAT  
HE'S INTERESTED IN PLACATING. AND I'M NOT INTERESTED NOR WILL I CONSENT  
TO THE STATE BEING PUT IN THAT POSITION. AND I CERTAINLY WILL DO ALL I  
CAN TO PREVENT THE PASSAGE OF BAD LEGISLATION. AND SOMETHING WHICH  
DOES NOTHING IS BAD LEGISLATION AND SHOULD NOT BE PUT INTO THE  
STATUTE BOOK. THIS THAT SENATOR WATERMEIER AND HIS GROUP ARE  
TALKING ABOUT IS...FOR THE RECORD, I'D LIKE TO ASK SENATOR WATERMEIER A  
QUESTION. [LB47]

SENATOR SCHEER: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR CHAMBERS: SENATOR WATERMEIER, RIGHT NOW EVERYTHING YOU'RE  
TALKING ABOUT, MAYBE NOT IN EXACTLY THE SAME WORDS, WOULD BE IN THE

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OPTIONAL LIST OF QUESTIONS. IF WE DON'T DO THIS, IF THE BILL WERE NOT HERE... [LB47]

SENATOR WATERMEIER: IT'S REALLY MARKED SOMETHING DIFFERENT THAN OPTIONAL OR MANDATORY. IT'S LISTED UNDER A SECTION OF "DO NOT ANSWER," DO NOT ANSWER IF YOU'RE APPLYING...EXCUSE ME. [LB47]

SENATOR CHAMBERS: NO, HERE'S WHAT I WANT TO ASK YOU. IF THIS... [LB47]

SENATOR WATERMEIER: I THINK WHAT YOU'RE GETTING AT IS THE MANDATORY SECTION. [LB47]

SENATOR CHAMBERS: RIGHT NOW, RIGHT NOW WHAT IS THE STATUS OF ALL THIS THAT WE'RE TALKING ABOUT WITH REFERENCE TO WHETHER OR NOT YOU WILL PUT YOUR NAME ON THIS LIST? [LB47]

SENATOR WATERMEIER: WITH MY AMENDMENT? [LB47]

SENATOR CHAMBERS: WITHOUT IT, JUST THE LAW AS IT IS RIGHT NOW. [LB47]

SENATOR WATERMEIER: WITHOUT IT, THERE ARE EIGHT OR NINE QUESTIONS, I BELIEVE, IN REGARDS TO MANDATORY QUESTIONS THAT ARE DEALING WITH PHYSICAL ABILITIES, AND THERE ARE TWO OR THREE OPTIONAL QUESTIONS. [LB47]

SENATOR CHAMBERS: AND THIS IS ONE OF THE OPTIONAL RIGHT NOW. [LB47]

SENATOR WATERMEIER: THIS IS ONE OF THE OPTIONAL ONES: DO YOU WANT MORE INFORMATION ON ORGAN DONATION; WOULD YOU WANT TO BE AN ORGAN DONOR? [LB47]

SENATOR CHAMBERS: AND THERE ARE TWO OR THREE QUESTIONS. IT'S NOT GOING TO GET (INAUDIBLE). BUT THANKS, THAT'S ALL I'LL ASK YOU. MEMBERS OF THE LEGISLATURE, INSTEAD OF MAKING FOOLS OUT OF THE LEGISLATURE, WHY DON'T THEY PUT UP BILLBOARDS? WHY DON'T THEY PUT ADVERTISEMENTS OUT THERE AND TELL PEOPLE ABOUT THE VALUE OF ORGAN DONATING... [LB47]

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SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...AND PUTTING YOUR NAME ON THIS LIST AS AN ORGAN DONOR? SENATOR BRASCH KEEPS MUDDYING THE WATER BY TALKING ABOUT WHAT DECISION YOU MAKE AT THE END OF YOUR LIFE. YOU CAN DO THAT WITHOUT ANYTHING BEING ON THIS STATE APPLICATION, VOLUNTARY OR MANDATORY. YOU CAN MAKE THAT DECISION RIGHT NOW. SO SHE DOESN'T EVEN UNDERSTAND WHAT WE'RE TALKING ABOUT. OTHERS HAVE FINALLY COME AROUND TO UNDERSTANDING IT. AND MAYBE SOME PEOPLE OUTSIDE THE CHAMBER HAVE COME AROUND TO UNDERSTANDING IT. BUT TO TAKE SOMETHING WHICH IS OPTIONAL AND PUT IT IN THE MANDATORY QUESTION LIST IS SHEER IDIOCY. EITHER IT IS MANDATORY OR IT'S OPTIONAL. IT CANNOT BE BOTH, EXCEPT MAYBE IN THE ARCANE WORLD OF QUANTUM PHYSICS, WHICH WE'RE NOT TALKING ABOUT. THIS IS SENATOR WATERMEIER... [LB47]

SENATOR SCHEER: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR WATERMEIER. THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I'D LIKE TO ASK SENATOR WATERMEIER A QUESTION IF HE'D YIELD. [LB47]

SENATOR SCHEER: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. UNDER YOUR NEW PROPOSED AMENDMENT, DO YOU HAVE LANGUAGE ON THE QUESTIONNAIRE THAT SAYS YOU ARE NOT REQUIRED OR IF YOU DO NOT ANSWER THIS QUESTION YOU WILL STILL BE GIVEN YOUR LICENSE? [LB47]

SENATOR WATERMEIER: YES. [LB47]



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SENATOR BLOOMFIELD: THAT WILL BE ON THE FORM THAT THE INDIVIDUAL FILLS OUT? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR BLOOMFIELD: OKAY. THANK YOU. I'D YIELD THE REST OF MY TIME TO SENATOR CHAMBERS. [LB47]

SENATOR SCHEER: SENATOR CHAMBERS, YOU HAVE 4:16. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. MEMBERS OF THE LEGISLATURE, I DO NOT WANT TO SEE US PUT MEANINGLESS LANGUAGE IN THE STATUTES TO PLACATE SOME GROUP THAT HAS A PARTICULAR ISSUE THEY WANT TO PUSH. THEY ARE TURNING OUR STATUTES INTO A BILLBOARD. THAT IS NOT THE PURPOSE OF OUR STATUTES. WE SHOULD NOT CREATE A MEANINGLESS GESTURE SUCH AS THIS TO PLACATE SOME GROUP WHO WANT TO IMPOSE A NOTION THEY HAVE ON EVERYBODY BY FINDING SOMETHING THAT THE STATE REQUIRES PEOPLE TO DO IN ORDER TO EXERCISE A PRIVILEGE THAT IS UNIVERSALLY NEEDED. AND SOME COURTS ARE MOVING TOWARD CONVERTING DRIVING ON THE ROADS FROM A PRIVILEGE TO A RIGHT BECAUSE OF THE CHANGES IN SOCIETY AND THE NEEDS OF SOCIETY, AND IT IS ESSENTIAL THAT A PERSON DRIVE. SO THIS TALK ABOUT IT BEING A PRIVILEGE IS SO MUCH TWADDLE. WHAT WE'RE LOOKING AT HERE IS MANDATING THAT SOMETHING BE DONE. AND IF WE'RE NOT MANDATING THAT IT BE DONE, WE ARE ENGAGING IN DELIBERATE DECEPTION. THESE PEOPLE ARE WILLING TO USE DECEPTION UNDER ANY OTHER NAME TO TRY TO GET THEIR WAY. IT'S GOING TO BE PUT IN A COLUMN WITH MANDATORY MATTERS: YOU MUST ANSWER THESE, BUT THIS ONE YOU DON'T HAVE TO ANSWER. THEN ANYBODY WHO HAS INTELLIGENCE IS GOING TO SAY, WHY DID THOSE DUMBBELLS IN THE LEGISLATURE SAY THAT IT'S MANDATORY WHEN IT'S REALLY OPTIONAL? IT WILL BE AS BAD AS SENDING OUT THOSE POSTCARDS AT A COST OF OVER \$100,000 TO TELL ME SOMETHING THEY DID IN 2007, WHICH IS REALLY AN INSULT TO ME. AND IF THEY HAD ANY INTELLIGENCE, THEY WOULDN'T WANT TO CALL MY ATTENTION TO IT. BUT HERE THEY ARE, THEY'RE AT IT AGAIN. THEY TALK ABOUT THE GOVERNMENT WASTING MONEY. THEY TALK ABOUT THEY'RE GOING TO CUT SPENDING TO VARIOUS PROGRAMS. THEN THEY'RE GOING TO TAKE ALL THEIR TIME TO PUT SOMETHING INTO THE LAW WHICH IS A DECEPTION. I'D LIKE TO ASK SENATOR WATERMEIER A QUESTION, BECAUSE HE TOLD ME EARLIER HE DOESN'T SPEAK ENGLISH. [LB47]

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SENATOR SCHEER: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR CHAMBERS: SENATOR WATERMEIER, WHAT DOES MANDATORY MEAN, BASED ON YOUR UNDERSTANDING IN WHATEVER LANGUAGE YOU UNDERSTAND IT? WHAT DOES MANDATORY MEAN? [LB47]

SENATOR WATERMEIER: NOT OPTIONAL. [LB47]

SENATOR CHAMBERS: ALL RIGHT. THAT MEANS YOU MUST DO IT. BUT ON THIS, THE ONLY THING THAT YOU'RE SAYING YOU WANT THEM TO DO IS READ THAT QUESTION. BUT THEY DON'T HAVE TO DO ANYTHING ABOUT IT, CORRECT? NOW ALL THESE OTHER QUESTIONS RELATE... [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...DIRECTLY TO WHETHER OR NOT YOU CAN DRIVE A CAR. THEY RELATE TO YOUR ABILITY TO DRIVE A CAR. AND YOU MUST ANSWER THOSE. THEN WHY PUT SOMETHING YOU DON'T HAVE TO ANSWER IN THAT COLUMN? ARE YOU HOPING SOME PEOPLE WILL MISUNDERSTAND AND FEEL LIKE THEY'VE GOT TO ANSWER IT BECAUSE IT'S IN THE MANDATORY COLUMN AND THAT IF YOU DIDN'T HAVE TO ANSWER IT, IT WOULDN'T BE THERE, SO THEY'VE GOT TO ANSWER IT? THAT'S YOUR HOPE, ISN'T IT? [LB47]

SENATOR WATERMEIER: THAT'S...NO, IT'S NOT MY HOPE THAT THEY FEEL, NO, MISLED. WE'RE HOPING THAT THEY LOOK AT IT, BECAUSE THE COMMENTS THAT I'VE BEEN TOLD IS THAT THEY WON'T LOOK AT IT IF IT'S OPTIONAL. [LB47]

SENATOR CHAMBERS: THEN WHY DON'T YOU JUST PUT SOMETHING ON THERE WITH A FINGER POINTING AT THAT AND SAY, PLEASE, LOOK AT THIS? WHY DON'T YOU DO THAT? [LB47]

SENATOR WATERMEIER: WE FEEL LIKE THIS IS A MORE PRACTICAL WAY TO DO IT. [LB47]

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SENATOR CHAMBERS: MY TIME IS UP THAT SENATOR BLOOMFIELD GAVE ME, SO I'LL STOP. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD, SENATOR CHAMBERS, AND SENATOR WATERMEIER. (VISITORS INTRODUCED.) SENATOR CHAMBERS, YOU'RE NOW RECOGNIZED. [LB47]

SENATOR CHAMBERS: YES. AND, MR. PRESIDENT, I WANT TO ASSURE MY COLLEAGUES THAT I AM IN NO WAYS TIRED, THAT I PROMISED I WOULD BE ON THIS BILL FOR THE FULL SIX HOURS, AFTER WHICH AN ATTEMPT CAN BE MADE TO INVOKE CLOTURE. WHAT IS BEING OFFERED IS NOT THE KIND OF THING THAT SHOULD BE PRESENTED TO ANYBODY WHO HAS INTELLIGENCE. IT IS NOT RATIONAL, IT IS NOT REASONABLE, THEREFORE, IT IS NONSENSICAL, OR AS THEY WOULD SAY IN METAPHYSICS, IT IS UNINTELLIGIBLE. BY MAKING USE OF A LOGICAL, MENTAL PROCESS BASED ON THE LANGUAGE THAT WE'RE USING, "MANDATORY" AS OPPOSED TO "OPTIONAL," YOU CAN NEVER ARRIVE THROUGH A LOGICAL PROCESS OF REASONING AT WHAT SENATOR WATERMEIER IS OFFERING. AND THAT WHICH IS TOTALLY ILLOGICAL AND UNREASONABLE IS REFERRED TO IN METAPHYSICS AS BEING UNINTELLIGIBLE. AND THAT'S WHAT THIS IS. YOU DON'T HAVE TO UNDERSTAND A SINGLE WORD THAT I JUST SAID BUT THAT'S IN THE RECORD, AND IT'S FOR THOSE PEOPLE WHO ARE WATCHING US WHO DO HAVE INTELLIGENCE, WHO DO UNDERSTAND WHAT MANDATORY MEANS, WHO DO UNDERSTAND WHAT OPTIONAL MEANS, WHO DO UNDERSTAND THAT WHAT IS PURPORTED TO BE MANDATORY IS REALLY OPTIONAL. WHY ARE YOU GOING TO PUT A WOLF IN SHEEP'S CLOTHING? OR, WHY ARE YOU GOING TO PUT A SHEEP IN WOLF'S CLOTHING? IN EITHER CASE, YOU ARE NOT CALLING SOMETHING WHAT IT IS. THAT IS NOT AN APPROPRIATE WAY TO LEGISLATE. AS ELECTED OFFICIALS, I THINK WE HAVE AN OBLIGATION TO SHOW BY OUR EXAMPLE WHAT THE PUBLIC CAN EXPECT FROM US WHEN THEY READ THE LEGISLATION THAT WINDS UP IN THE LAW BOOKS. AND IF, WHILE WE ARE DEBATING WHAT WE INTEND TO PUT INTO THE LAW BOOKS, WE CAN SEE THAT IT IS FALSE AND MISLEADING AND PUT IT THERE ANYWAY, HOW WILL THEY KNOW HOW MANY OTHER PROVISIONS IN THE STATUTE ARE FALSE AND MISLEADING, KNOWINGLY FALSE, KNOWINGLY MISLEADING? SENATOR WATERMEIER ADMITTED THAT THIS THAT HE'S OFFERING IS NOT MANDATORY; IT'S NOT MEANT TO BE MANDATORY. THERE IS NO REPERCUSSION IF YOU DON'T DO IT. WHEN THE STATE LAYS DOWN A MANDATE, THE STATE MUST LET YOU KNOW THAT IT IS GOING TO EMPLOY SOME ASPECT OF ITS COERCIVE POWER TO COMPEL COMPLIANCE. AND IF YOU DON'T COMPLY, THERE IS A CONSEQUENCE, AND THAT CONSEQUENCE CAN BE ENFORCED THROUGH THE COERCIVE POWER OF

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THE STATE. WE DON'T EVEN KNOW WHAT A STATE IS. WE DON'T KNOW WHAT COMPRISES A STATE. IT'S MORE THAN A PIECE OF LAND THAT HAS A LINE DRAWN AROUND IT WITH A NAME. [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: IF WE DON'T UNDERSTAND WHAT WE'RE DEALING WITH, WE SHOULD LEAVE IT ALONE. LEAVE THIS WORK TO THOSE WHO UNDERSTAND IT. I AM SURE THAT SENATOR "MENTOR" SCHUMACHER AND I CAN DISPOSE OF THIS IN A PROPER WAY AND GIVE IT A DECENT BURIAL. I COULD OFFER A KILL MOTION, WHICH YOU WOULD ACCEPT, OR "MENTOR" SCHUMACHER COULD PERSUADE SENATOR WATERMEIER TO SIMPLY WITHDRAW HIS BILL. THAT'S WHAT OUGHT TO BE DONE. BUT ALL OF THIS TIME WE'RE TAKING, ALL OF THESE CONTORTIONS WE'RE GOING THROUGH ARE GOING TO BRING US NOWHERE IN TERMS OF WHAT WE OUGHT TO BE DOING AS A WISE, INTELLIGENT LEGISLATURE. BUT OBVIOUSLY, THOSE TWO TERMS DON'T APPLY. BUT WE CAN GIVE THE APPEARANCE... [LB47]

SENATOR SCHEER: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: ...OF WISDOM. WE CAN GIVE AN... [LB47]

SENATOR SCHEER: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: ...APPROXIMATION OF INTELLIGENCE. DID YOU SAY TIME? [LB47]

SENATOR SCHEER: YES, I DID. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. IT HAS ALWAYS BEEN KIND OF A PHILOSOPHY OF MINE THAT WHERE WE CAN EDUCATE WE SHOULD NOT MANDATE, AND PROBABLY WE SHOULD NOT LEGISLATE. I THINK THAT'S

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WHERE WE'RE AT HERE. WE'RE TALKING ABOUT MANDATING A NONMANDATE-- YOU HAVE TO DO THIS, BUT IT DOESN'T REALLY MATTER IF YOU DON'T. I BELIEVE THERE'S SOMETHING TO BE SAID ABOUT TILTING AT WINDMILLS SOMEWHERE. I THINK MAYBE THAT'S WHAT WE'RE DOING HERE. THIS AMENDMENT THAT SENATOR WATERMEIER HAS BROUGHT IS A VAST IMPROVEMENT OVER FORCING SOMEBODY TO ANSWER A QUESTION THAT THEY DON'T FEEL COMFORTABLE ANSWERING. BUT WHEN YOU SAY WE'RE GOING TO MANDATE YOU TO DO THIS BUT THERE ARE NO CONSEQUENCES IF YOU DON'T, IT'S KIND OF A FALSE MANDATE. I BELIEVE THERE ARE OTHER WAYS TO TINKER WITH THIS LANGUAGE TO GET THE BILL TO WHERE THE QUESTION IS POINTED OUT OR ASKED WITHOUT CALLING IT A MANDATE. THERE'S GOT TO BE SOME VERBIAGE THAT WOULD GET THAT DONE. I GUESS I'M NOT ENOUGH OF A WORDSMITH TO GET THERE JUST YET, BUT THERE ARE OTHER INDIVIDUALS IN THIS BODY THAT COULD. SO BEFORE WE GO WITH THE BILL THAT WE HAVE BEFORE US NOW, LET'S LOOK AT SOME BETTER ANSWERS, BECAUSE THIS DOESN'T GET YOU THERE. WE STARTED OUT WITH A BILL THAT MANDATED YOU DO THIS OR YOU'LL NOT GET YOUR LICENSE. THEN WE HAD AN ASSURANCE FROM AN UNNAMED DEPARTMENT INDIVIDUAL AND AN UNSIGNED E-MAIL THAT SAID THEY WOULD LOOK THE OTHER WAY AND LET SOMEBODY ELSE FILL IN THE MARK. AND NOW WE'VE GONE FROM THAT TO PUTTING ON THERE THAT IF YOU DON'T MARK THIS, IT REALLY DOESN'T MATTER. I DON'T KNOW. I KIND OF LIKE THE IDEA OF THE BIG RED FINGER POINTING TO WHAT IT SAID: PLEASE READ THIS. I THINK THAT MIGHT GET US BETTER RESULTS. I'D YIELD THE REMAINDER OF MY TIME BACK TO SENATOR CHAMBERS. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. SENATOR CHAMBERS, YOU HAVE 2:29. [LB47]

SENATOR CHAMBERS: THANK YOU, SENATOR BLOOMFIELD. THANK YOU, MR. PRESIDENT. WHEN THEY--WHEN I SAY "THEY" I MEANT THESE SCIENTISTS--WERE TRYING TO COME UP WITH AN ATOM BOMB, THEY DIDN'T GO THROUGH WHAT WE'RE GOING THROUGH HERE. THEY HAD A PLAN. THEY HAD THEORIES. THEY CONDUCTED EXPERIMENTS TO SEE WHETHER OR NOT THEIR THEORY WOULD BEHAVE IN THE REAL WORLD THE WAY IT SHOULD BE IF THE THEORY WERE CORRECT. WE'RE TAKING MORE TIME AND GOING THROUGH MORE GYRATIONS THAN WAS THE CASE WHEN THE ATOM BOMB WAS BEING CONSTRUCTED. AND FOR WHAT? TO TRY TO MAKE PEOPLE LOOK AT A NOTION. SO THE STATUTE BECOMES A BILLBOARD. AND I REALLY LIKE WHAT SENATOR BLOOMFIELD SAID: EDUCATE, DON'T MANDATE, AND IF NOT ABSOLUTELY NECESSARY, DON'T LEGISLATE. THEY ARE TALKING ABOUT EDUCATING PEOPLE TO THE VALUE, THE

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HUMANENESS, THE NOBILITY OF ALLOWING YOUR NAME TO BE PUT ON AN ORGAN AND TISSUE DONOR LIST. AND BY DOING IT, YOU'RE EXPRESSING YOUR WILLINGNESS TO GO THROUGH WHATEVER IS GONE THROUGH AFTER YOU CROAK... [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...TO GIVE THIS SUBSTANCE FROM YOUR BODY TO WHOMEVER IS AUTHORIZED TO TAKE IT AND USE AS THEY SEE FIT. THAT SHOULD NOT BE SOMETHING THAT IS THE SUBJECT OF LEGISLATION. LET THEM PUT THE BILLBOARDS UP. AND YOU FIND BILLBOARDS ALL OVER ADVERTISING EVERYTHING. I'M GOING TO FIGHT AGAINST ANY EFFORT TO MANDATE THIS THAT SENATOR WATERMEIER IS TALKING ABOUT. AND AS SENATOR BLOOMFIELD POINTED IT OUT, HE WANTS TO MANDATE THAT WHICH IS NOT MANDATORY. THAT IS A CONTRADICTION IN TERMS. WE MANDATE THIS WHICH IS NOT MANDATORY. YOU'D BETTER DO IT, BUT YOU DON'T HAVE TO DO IT. COURT ORDERS ARE NOT WRITTEN THAT WAY. [LB47]

SENATOR SCHEER: TIME, SENATOR, BUT YOU'RE NEXT IN THE LINE. [LB47]

SENATOR CHAMBERS: THANK YOU. [LB47]

SENATOR SCHEER: AND THIS IS YOUR THIRD TIME. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. AND I WILL HAVE PLENTY OF OTHER OPPORTUNITIES. WHEN A COURT ENTERS AN ORDER, THAT IS MANDATORY IN TERMS OF THE ONE WHO RECEIVES IT HAVING TO COMPLY. THE COURT IS NOT A LAW ENFORCEMENT AGENCY. THAT IS IN THE EXECUTIVE BRANCH. BUT AN INTRINSIC OR INHERENT POWER OF A COURT BEING A COURT IS THE MEANS TO CARRY OUT OR EXECUTE THE ORDERS THAT IT ISSUES. SINCE IT IS NOT A LAW ENFORCEMENT AGENCY, THE COURT HAS THE INHERENT POWER TO PUNISH VIOLATION OF ITS ORDERS BY CONTEMPT. WHEN YOU ARE FOUND BY A COURT TO BE IN CONTEMPT, IF YOU REFUSE TO RELENT, THEN YOU GO TO JAIL, NOT AS A PUNISHMENT, STRICTLY SPEAKING, BUT IT IS A COERCIVE FORCE TO PUT YOU IN THE FRAME OF MIND TO OBEY THE COURT'S ORDER. AND THAT'S WHY THEY SAY WHEN YOU ARE FOUND IN CONTEMPT, YOU HOLD THE KEYS TO YOUR JAIL CELL. AS SOON AS YOU COME TO THE POINT WHERE YOU WILL, THEY CALL IT, PURGE YOURSELF OF THE CONTEMPT, THEN YOU'RE RELEASED. SO A COURT DOESN'T ENTER SOMETHING AND CALL IT AN ORDER IF

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YOU CAN CHOOSE TO FOLLOW IT OR NOT FOLLOW IT. AND WHEN COURTS MAKE A DETERMINATION, IT IS NOT IN THE NATURE OF SIMPLY GOOD ADVICE. IT IS A FINAL DETERMINATION OF THE ISSUE PUT BEFORE THE COURT, A FINAL DETERMINATION AT THAT STAGE. WHEN WE LEGISLATE WE SHOULD NOT SAY THERE ARE SOME THINGS AS IS, THERE ARE SOME THINGS AS IS NOT, AND THERE ARE SOME THINGS AS IS NEITHER IS NOR IS NOT, AND THIS IS SOMEWHERE IN BETWEEN THE LAST TWO. THAT'S WHAT SENATOR WATERMEIER'S ASKING US TO SAY. IT'S NOT EVEN AS LOGICAL AS SAYING THAT, THAT IS, IS; THAT, THAT IS NOT, IS NOT; THAT, THAT IS NOT, IS NOT THAT, THAT IS; AND THAT, THAT IS, IS NOT THAT THAT, THAT IS NOT. WHY GO THROUGH ALL THAT? YOU CAN SAY SOMETHING EITHER IS OR IT IS NOT. IF IT IS, THEN IT EXISTS; IF IT'S NOT, IT DOES NOT EXIST. BUT ALL OF THIS THAT WE'RE BEING ASKED TO GO THROUGH, I SAY AGAIN, IS LIKE THE DOG CHASING ITS TAIL--A LOT OF MOVEMENT, A LOT OF MOTION, BUT GETTING NOWHERE, AND NOT ONLY NOT GETTING NOWHERE BUT COVERING THE SAME GROUND OVER AND OVER AND OVER AND OVER. AND THAT'S WHAT SENATOR WATERMEIER HAS ALLOWED TO HAPPEN TO HIM. AND SINCE MISERY LOVES COMPANY, HE WANTS US TO JOIN HIM. AND SINCE ALL I'M DOING IS TAKING TIME, THAT MISERY LOVES COMPANY COMES FROM SOMETHING WRITTEN BY JOHN MILTON,... [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...AND I THINK IT WAS CALLED "PARADISE LOST." AND SATAN HAD A QUESTION POSED TO HIM: SINCE YOU'RE LOST, SINCE YOU'RE DOOMED AND THERE'S NOTHING YOU CAN DO ABOUT IT, WHY ARE YOU TRYING TO PUT OTHERS IN THE SAME PLIGHT THAT YOU'RE FACING? SATAN SAID, NOT MISERY LOVES COMPANY, BUT: IT IS A SOLACE TO THE WRETCHED TO HAVE COMPANIONS IN GRIEF. AND THEY CHANGED THAT TO SAY MISERY LOVES COMPANY. SENATOR WATERMEIER FEELS THAT SINCE HE'S MISERABLE, WE OUGHT TO JOIN HIM. BUT IF HE'S JUMPING OFF THE CLIFF, I WOULD NEVER BE SO EMPATHETIC THAT I'LL JUMP OFF THE CLIFF BEHIND HIM. THIS IS SOMETHING WHICH IF WE WERE ALL LEMMINGS WE WOULD FOLLOW. AND DESPITE SAYING POPEYE IS MY HERO, AND HE MIGHT PRONOUNCE LEMON AS A LEMMING,... [LB47]

SENATOR SCHEER: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: ...WHEN I SAY LEMMING I MEAN THOSE FOUR LITTLE...FOUR-FOOTED LITTLE CREATURES. THANK YOU, MR. PRESIDENT. [LB47]

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SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. SENATOR BLOOMFIELD, THIS IS YOUR THIRD TIME. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, I ASKED EARLY ON IF MAYBE WE WOULDN'T BE BETTER OFF, RATHER THAN FIGHTING ON THIS HILL, TO GO TO A PLACE WHERE PARENTS ARE ALLOWED TO DONATE THE YOUNGSTERS' ORGANS. I THINK WE MIGHT GET A BETTER RESULT. IF I HAD A 15-YEAR-OLD YOUNG MAN LAYING THERE THAT THE MEDICAL DETERMINATION OF BEING BRAIN DEAD HAD BEEN PRONOUNCED UPON, BUT HIS HEART AND LUNGS AND KIDNEYS, ALL OTHER ORGANS THAT COULD BE DONATED ARE FUNCTIONING, I THINK IT IS A TERRIBLE WASTE THAT THE PARENT IS NOT ALLOWED TO KEEP PARTS OF THAT YOUNG MAN OR WOMAN ALIVE IN ANOTHER INDIVIDUAL. RIGHT NOW THE STATE DOES NOT ALLOW THAT. THERE MAY BE SOME QUESTION OF GERMANENESS AS TO WHETHER OR NOT WE COULD DO THAT ON THIS BILL, IF WE COULD AMEND THIS BILL OVER TO MAKE THAT WORK. I WILL BE CONTACTING MY STAFF AND WE WILL BE WORKING TOWARD THAT DETERMINATION. BUT I THINK THAT'S A BETTER WAY TO GO. IT DOESN'T MANDATE ANYBODY TO DO ANYTHING. AND I BELIEVE IT WOULD INCREASE THE NUMBER OF DONATIONS WE HAVE. AND WITH THAT, MR. PRESIDENT, I YIELD TO SENATOR CHAMBERS. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. SENATOR CHAMBERS, YOU HAVE 3:05. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. HOW MANY OF YOU ALL WANT TO ENGAGE IN "HOODWINKERY"? THAT'S WHAT YOU'RE DOING. YOU'RE TRYING TO HOODWINK THE PUBLIC. YOU'RE TRYING TO FIND A WAY TO TRICK THE PUBLIC INTO DOING WHAT YOU WANT THE PUBLIC TO DO WHICH THEY WOULD NOT DO ON THEIR OWN. SO YOU'RE GOING TO MAKE THEM THINK THAT THE STATE IS POISED TO PUNISH YOU IF YOU DON'T DO THIS. AND THEN, WHEN YOU GET THROUGH READING ALL THIS JUNK, THEN THEY PUT, AND IF THEY'RE GOING TO BE HONEST, THEY OUGHT TO PUT THE TWO WORDS, "HA-HA," AND THEN ADD, THE JOKE IS ON YOU. THIS IS NOT MANDATORY AT ALL, BUT WE MADE YOU READ IT, DIDN'T WE? THAT'S WHAT YOU OUGHT TO PUT IF YOU WANT TO DO WHAT SENATOR WATERMEIER IS TALKING ABOUT AND YOU INSIST ON IT. AT LEAST TELL THE TRUTH AT THE END. BUT YOU'RE NOT GOING TO DO THAT. YOU WANT TO HOODWINK THE PUBLIC. EVERYTHING YOU OFFER IS DESIGNED TO DO THAT, NOT TO CARRY OUT SOMETHING THAT CONSTITUTES A COMPELLING STATE INTEREST. THERE IS NO COMPELLING STATE INTEREST IN ACHIEVING WHAT



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THEY'RE TRYING TO DO. IT MIGHT BE COMPELLING TO SENATOR WATERMEIER BECAUSE HE FOOLISHLY MADE A PROMISE TO PEOPLE AND THEY TOLD HIM, YOU DON'T HAVE THE FREEDOM, ONCE YOU MAKE THIS PROMISE, TO GET MORE INFORMATION, USE YOUR INTELLIGENCE, AND CHANGE YOUR MIND. HE'S LIKE OLD MEPHISTOPHELES WHEN HE'S GOING TO TRY TO GET YOU TO SELL YOUR SOUL TO THE DEVIL: NOW I WANT YOU TO READ THIS, BUT ONCE YOU SIGN IT YOU CANNOT UNSIGN IT. THAT'S WHERE SENATOR WATERMEIER IS. BUT I HAVE THE ERASER AND MY ERASER IS DESIGNED TO REMOVE FROM HIS MIND THE NOTION THAT HE CANNOT CHANGE HIS MIND. HE CAN CHANGE HIS MIND. [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: HE DOES HAVE A MIND. I WOULD BE WASTING MY TIME IF I THOUGHT HE WERE A LUNATIC. BILLY JOEL SAID: YOU MAY BE RIGHT, YOU SAY I'M CRAZY, BUT IT JUST MIGHT BE A LUNATIC YOU'RE LOOKING FOR; TURN OUT THE LIGHT, DON'T TRY TO CHANGE ME; YOU MAY BE WRONG, BUT FOR ALL I KNOW YOU MAY BE RIGHT. SO MAYBE I AM A LUNATIC. BUT WHATEVER I AM, THAT'S WHAT YOU'RE LOOKING FOR. THAT'S WHAT THEY TOLD SENATOR WATERMEIER. AND I THINK THIS WOULD BE FUNNY IF I WERE SITTING SOMEWHERE WATCHING IT. BUT I AM IN A BETTER POSITION THAN JUST WATCHING SOMETHING FUNNY. I AM IN A POSITION TO HAVE FUN. AND I AM HAVING FUN, FUN, FUN TILL WATERMEIER TAKES THIS AWAY. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR WATERMEIER, THERE ARE NO SENATORS WISHING TO SPEAK. YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. [LB47]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. LET ME JUST BRING THE BODY AND THE STATE OF NEBRASKA BACK TO WHERE WE'RE AT. WE'RE TRYING TO DO ONE THING AND ONE THING ONLY--MAKE AN APPLICANT TAKE A LOOK AT WHETHER THEY WOULD LIKE TO BE ON THE ORGAN DONOR REGISTRY LIST. IT'S ONLY ASKING THEM IF THEY WOULD LIKE TO BE ON THE ORGAN DONOR REGISTRY LIST. WE THINK, BY STUDYING THE SURROUNDING STATES, THAT WE CAN TAKE THE 750,000 PEOPLE IN NEBRASKA THAT ARE ON THAT ORGAN DONOR REGISTRY LIST, WE THINK WE CAN INCREASE THAT TO ALMOST 800,000. THERE'S 500 PEOPLE AT ANY POINT IN TIME ON THE WAITING LIST FOR ORGAN DONATIONS. BY MY AMENDMENT NOW, I WOULD THINK THAT THIS MAKES IT PRETTY CLEAR THAT THE DEPARTMENT'S EMPLOYEES DO NOT HAVE TO FEEL OR

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DO NOT HAVE TO BE OBLIGATED TO ANSWER THE THIRD QUESTION FOR THE APPLICANT. THE APPLICANT CAN LOOK AT IT, AND IF HE DOESN'T ANSWER IT, THE EMPLOYEE CAN JUST TAKE IT RIGHT IN AND IT WILL NOT PREVENT THEM FROM APPROVING THIS APPLICATION. SO WITH THAT, I WOULD JUST REMIND PEOPLE TO KEEP THEIR EYE ON THE BALL, THAT WE'RE JUST TALKING ABOUT THE POSSIBILITY OF ADDING ONE'S NAME TO THE ORGAN DONOR REGISTRY. YOU CAN TAKE THAT OFF THE VERY NEXT DAY BY A PHONE CALL, AN E-MAIL AND GET IT OFF OF THERE. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR WATERMEIER. THE QUESTION BEFORE US IS, SHALL THE AMENDMENT TO LB47 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE. IN WHICH ORDER, SENATOR? [LB47]

SENATOR CHAMBERS: SAY IT AGAIN? [LB47]

SENATOR SCHEER: REGULAR ORDER? [LB47]

SENATOR CHAMBERS: YES. [LB47]

SENATOR SCHEER: MR. CLERK, THERE'S BEEN A REQUEST FOR A ROLL CALL IN REGULAR ORDER. [LB47]

CLERK: (ROLL CALL VOTE TAKEN.) 30 AYES, 2 NAYS, MR. PRESIDENT, ON THE AMENDMENT. [LB47]

SENATOR SCHEER: THE AMENDMENT IS ADOPTED. DISCUSSION WILL BE ON ADVANCEMENT OF LB47. NEXT...MR. CLERK FOR A MOTION. [LB47]

CLERK: MR. PRESIDENT, SENATOR CHAMBERS, I'M ASSUMING, SENATOR, YOU WANT TO RECONSIDER THE VOTE WE JUST TOOK. IS THAT CORRECT? MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE ON THE ADOPTION OF AM1837. [LB47]

SENATOR SCHEER: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR RECONSIDERATION MOTION. [LB47]

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SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, I ALWAYS GET THE NAME OF THE GROUP WHO SINGS THIS SONG WRONG. NOW SOMEBODY TOLD ME, I THINK IT'S EITHER HERMAN'S HERMITS OR PAUL REVERE'S RAIDERS OR THE THREE LITTLE PIGS, BUT THEY SAY: SECOND VERSE SAME AS THE FIRST. AND THAT'S WHERE I AM. I PROMISED THAT I WAS GOING TO TAKE US SIX HOURS ON THIS BILL, AND I BELIEVE IN DELIVERING ON MY PROMISE. SO WHATEVER YOU PUT ON IT, I AM GOING TO SPEAK AGAINST IT. I AM GOING TO VOTE AGAINST IT. AND EVERY TIME IT COMES UP FOR FURTHER CONSIDERATION, IT'S GOING TO BE THE SAME THING AGAIN. AND I HAVE ALREADY SAID, BECAUSE I THINK IT'S A CORRUPTION OF OUR SYSTEM, WHEN YOU POISON THE FOUNTAINHEAD, YOU POISON EVERYTHING THAT COMES OUT OF IT. WHEN YOU POISON THE WELL, ANYTHING IN THAT WELL IS POISONED. IF YOU CONDUCT AN ILLEGAL SEARCH AND SEIZURE, EVERYTHING SEIZED IS CONSIDERED THE FRUIT FROM A POISONED TREE. SO I'M GOING TO CONTINUE NOT ONLY ON THIS BILL BUT ON OTHER BILLS, AND YOU ALL CAN THANK SENATOR WATERMEIER FOR IT. I'M NOT GOING TO VOLUNTARILY ALLOW THE SYSTEM OF LEGISLATING, OF WHICH I AM A PART, TO BE CORRUPTED. NOTHING YOU HAVE THAT WE CONSIDER THIS SESSION IS THAT IMPORTANT, NOTHING. SO JUST PREPARE TO HAVE YOUR BILL DEALT WITH. BUT I'M NOT GOING TO TELL YOU WHICH BILL I'M GOING TO DO IT ON. AS I'VE SAID BEFORE, THERE MUST BE SOME MYSTERY IN LIFE TO MAKE IT INTERESTING. WILL IT BE YOUR BILL? OR IF IT SEEMS TO BE YOUR BILL, FOR HOW LONG? THIS THAT YOU'RE DOING IS DESIGNED TO HOODWINK THE PUBLIC. SENATOR WATERMEIER PROBABLY HAS BEEN GOING AROUND CRYING TO ALL OF YOU, BEGGING TO GIVE HIM A CRUMB, AND YOU AGREED TO DO IT. BUT YOU'RE BEING TOTALLY IRRESPONSIBLE. I'M CONVINCED THAT THERE ARE PEOPLE WATCHING WHAT WE'RE DOING AND I'M GLAD THEY'RE WATCHING, BECAUSE THEY'RE GOING TO HAVE TO GO TO APPLY FOR A DRIVER'S LICENSE. AND THE REASON I'M GLAD THEY'RE WATCHING IS TO SEE WHAT STEPS WERE GONE THROUGH BY THIS LEGISLATURE TO ARRIVE AT THE IDIOCY THAT THEY CAME UP WITH. WHO ENGAGES IN IDIOCY? IDIOTS. THIS WHOLE THING IS LIKE AN IDIOT STANDING WITH HIS FACE TO THE WALL ARGUING. THAT'S WHAT THIS IS. BUT YOU'RE INTENT ON DOING IT. I WANT TO MAKE IT AS DIFFICULT AS POSSIBLE FOR YOU TO DO IT. BUT IN THE PROCESS, I WANT TO MAKE IT AS ENJOYABLE AS POSSIBLE. WHEN YOU GO TO THE DENTIST, THE DENTIST KNOWS THAT IF THERE IS TO BE AN EXTRACTION OR A ROOT CANAL OR EVEN A FILLING WHERE THERE IS A LARGE CAVITY, IT'S NOT GOING TO BE PLEASANT. SO THE ATTEMPT IS MADE TO MASK, CONCEAL THAT WHICH MAKES THE PROCESS UNPLEASANT. SO THEY JUICE YOU UP, SETTLE YOUR NERVES DOWN SO THAT THOSE PAIN TRANSMITTERS DON'T WORK. AND YOU CAN BE DRILLED, FILLED, GO THROUGH AN EXTRACTION AND NOT EVEN BE

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AWARE TO ANY GREAT EXTENT OF WHAT IS HAPPENING TO YOU. YOU ALL THINK THAT BY TRYING TO MAKE THIS BITTER PILL COATED WITH SUGAR IT WILL BE BETTER. YOU ARE TRYING TO MAKE A SILK PURSE FROM A SOW'S EAR. YOU ARE TRYING TO BRING A CLEAN THING FROM AN UNCLEAN THING. AND IN THIS INSTANCE, THAT CANNOT BE DONE. WITH 25 VOTES YOU CAN, BECAUSE OF THE SYSTEM, DO ANYTHING YOU WANT TO DO IN TERMS OF PASSING A BILL. BUT BY PASSING THAT BILL, YOU MAY NOT BE DOING THAT WHICH IS WISE OR IN THE BEST INTEREST OF THE PUBLIC. SOME PEOPLE MIGHT BE SO OFFENDED AT BEING HOODWINKED THAT IF THEY WERE OF A MIND TO SAY YES, THEY'LL SAY NO. HERE YOU ARE, ENTRUSTED WITH PASSING LAWS FOR THE STATE, FOR THE CITIZENS, AND YOU'RE ENGAGING IN THIS TOMFOOLERY, THIS COCKAMAMIE NONSENSE, THIS DOG CHASING ITS TAIL, FUTILE EXERCISE. AND WHEN YOU GET THROUGH, WHAT DO YOU HAVE? NOTHING. WHAT DO YOU HAVE? NOTHING. BUT YOU HAVE LIED TO THE PUBLIC, AND YOU LIED IN WRITING. YOU SAID THIS IS MANDATORY, BUT IT IS NOT. THE STATUTE IS FALSE. I GUESS YOU ALL THINK THAT IF WE PASSED A LAW THAT SAID THE EARTH IS FLAT, THAT WOULD MAKE IT FLAT. NO, WE CAN PUT WORDS LIKE THAT IN THE STATUTE BOOK, AND A COURT MIGHT NOT STRIKE IT DOWN AS CONSTITUTIONAL BECAUSE IT MEANS NOTHING. IT JUST SHOWS WHAT A BUNCH OF FOOLS ARE IN SITTING IN THE FOOL HOUSE. AND THAT'S WHAT THIS LEGISLATURE IS BECOMING--THE HOUSE OF FOOLS. YOU ALL KNOW BETTER THAN THIS. SENATOR HILKEMANN WOULD NOT FILL OUT ANY DOCUMENTS THAT HE'S FILLING OUT FOR A PATIENT IN THIS FASHION BY AT THE TOP OF THE PAGE SAYING, THIS IS THUS AND SO, AND AT THE BOTTOM SAYING, BUT REALLY IT ISN'T. YOU'VE GOT A HAMMERTOES, BUT IN REALITY YOU HAVE A SPRAINED ANKLE. PREPOSTEROUS! HOW? I KNOW, MAYBE I OUGHT TO DO WHAT HARRY BELAFONTE SAID IN A SONG THAT HE...AND I'M NOT GOING TO SING IT. BUT THIS LITTLE BOY WANTED SOMEBODY TO TELL HIM THE STORY ABOUT THE BIRDS AND THE BEES. HE SAID: WHEN I WAS A LAD, JUST 3 FOOT 3, CERTAIN QUESTIONS OCCURRED TO ME, SO I ASKED MY FATHER QUITE SERIOUSLY TO TELL ME THE STORY ABOUT THE BIRD AND THE BEE. HE STAMMERED AND HE STUTTERED PATHETICALLY AND THIS IS WHAT HE SAID TO ME. HE SAID, THE WOMAN PIABA AND THE MAN PIABA AND THE CANE STANDS TALL LIKE THE LEMON GRASS, THE LILY ROOT, GULLY ROOT, BELLY ROOT, UHMM, AND THE FAMOUS GUNNY SCRATCH SCRATCH. AND THE LITTLE BOY SAID: IT WAS CLEAR AS MUD BUT IT COVERED THE GROUND AND THE CONFUSION MAKE ME BRAIN GO ROUND. SO I WENT TO VISIT A GOOD FRIEND OF MINE, KNOWN TO THE WORLD AS ALBERT EINSTEIN. ALBERT EINSTEIN SAID: SON, FROM THE BEGINNING OF TIME AND CREATIVITY THERE EXISTED THE FORCE OF RELATIVITY. PI R SQUARED MINUS 10 IS ROOTED ONLY WHEN THE SOLAR SYSTEM IN ONE LIGHT-YEAR MAKE THE HAYDEN PLANETARIUM

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DISAPPEAR. AND IF MOUNT EVEREST DOESN'T MOVE, I AM POSITIVE THAT IT WILL PROVE THAT THE WOMAN PIABA AND THE MAN PIABA AND THE CANE STAND TALL WITH THE LEMON GRASS, THE LILY ROOT, GULLY ROOT, BELLY ROOT, UHMM, AND THE FAMOUS GUNNY SCRATCH SCRATCH. REMEMBER, HE IS EXPLAINING TO THIS LITTLE BOY ABOUT THE BIRDS AND THE BEES. SO THE LITTLE BOY SAID IT WAS CLEAR AS MUD BUT IT COVERED THE GROUND AND THE CONFUSION MAKE ME BRAIN GO ROUND. SO I GRABBED A BOAT AND I WENT ABROAD AND IN BADEN, GERMANY, MET SIGMUND FREUD. YOU SAID TIME? HE SAID: FROM YOUR SAD FACE REMOVE THE GROUCH, PUT THE BODY UP ON THE COUCH. I CAN SEE FROM YOUR FRUSTRATION A NEUROTIC SUBLIMATION. LOVE AND... [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...HATE ARE PSYCHOSOMATIC. YOUR RORSCHACH SHOWS YOU'RE A PERIPATETIC. IT ALL STARTED WITH A BROKEN SIBLING IN THE WORDS OF THE FAMOUS RUDYARD KIPLING. THE WOMAN PIABA, THE MAN PIABA, CANE STAND TALL WITH THE LEMON GRASS. THE LILY ROOT, GULLY ROOT, BELLY ROOT, UHMM, AND THE FAMOUS GUNNY SCRATCH SCRATCH. I'LL FINISH IT UP WHEN I'M RECOGNIZED TO SPEAK AGAIN, AND I MIGHT SING IT. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I'D LIKE TO ASK SENATOR WATERMEIER A QUESTION IF HE'D YIELD. [LB47]

SENATOR SCHEER: SENATOR WATERMEIER, WILL YOU YIELD, PLEASE? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR BLOOMFIELD: THANK YOU, SENATOR WATERMEIER. THIS IS PURELY A CLARIFICATION ON MY PART. I ASKED EARLIER IF THE LANGUAGE IN YOUR AMENDMENT WOULD APPEAR WHEN SOMEONE FILLED OUT THE APPLICATION. DOES IT APPEAR ON THAT APPLICATION OR DOES THAT SIMPLY APPEAR IN DEPARTMENT REGULATIONS? IF I AM GOING IN TO GET MY LICENSE, ON THE

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APPLICATION THAT IS BEING FILLED OUT, IS THAT STATEMENT GOING TO BE THERE THAT I DO NOT HAVE TO ANSWER? [LB47]

SENATOR WATERMEIER: NO, IT'S BEHIND THE SCENES ON WHAT THE DEPARTMENT DOES. AND THEY CANNOT DENY THE APPLICANT BECAUSE OF THAT. [LB47]

SENATOR BLOOMFIELD: SO IT DOES NOTHING. [LB47]

SENATOR WATERMEIER: THAT PART DOESN'T... [LB47]

SENATOR BLOOMFIELD: AS FAR AS THE INDIVIDUAL TAKING THE TEST GOES, HE STILL HAS TO ANSWER THAT. HE HAS NOTHING TELLING HIM THAT HE DOESN'T HAVE TO ANSWER. [LB47]

SENATOR WATERMEIER: THAT'S RIGHT. [LB47]

SENATOR BLOOMFIELD: OKAY. [LB47]

SENATOR WATERMEIER: BUT THE DEPARTMENT IS NOT GOING TO BE HELD TO TRY TO ANSWER IT FOR HIM. THEY ARE NOT GOING TO ASK THE QUESTION. [LB47]

SENATOR BLOOMFIELD: BUT AS FAR AS THE INDIVIDUAL TAKING THE TEST KNOWS, IF HE DOESN'T ANSWER THAT, HE'S NOT GOING TO GET HIS LICENSE. [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR BLOOMFIELD: SO WE ARE STILL FORCING THAT INDIVIDUAL TO ANSWER THAT QUESTION WITHOUT TELLING HIM THAT NOT ANSWERING IT DOESN'T SUFFER ANY CONSEQUENCES. [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR BLOOMFIELD: I THINK WE'RE BACK TO SQUARE ONE. WE HAVE DONE NOTHING TO ALLEVIATE THAT WHICH WE SOUGHT TO ALLEVIATE. THANK YOU,

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SENATOR. MR. PRESIDENT, I YIELD TO SENATOR CHAMBERS, PROVIDING HE DOES NOT SING. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. THANK YOU, SENATOR WATERMEIER. SENATOR CHAMBERS, YOU HAVE 3:05. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. I WON'T SING, BUT SOMEBODY MIGHT READ THE TRANSCRIPT AND THEY WANT TO KNOW HOW THAT SONG DID END. THE LITTLE BOY SAID: IT WAS CLEAR AS MUD BUT IT COVERED THE GROUND AND THE CONFUSION MAKE ME BRAIN GO ROUND. ALL THE GREAT MEN UPON THIS EARTH HAVE CONFUSED ME SINCE MY BIRTH. I BEEN OVER LAND, I BEEN OVER SEA, TRYING TO FIND THE ANSWER ABOUT THE BIRD AND THE BEE. AND NOW THAT I AM 93, I DON'T EVEN CARE, YOU SEE, IF THE WOMAN...AND SO FORTH. WHAT SENATOR BLOOMFIELD HAS POINTED OUT--HOW DECEPTIVE YOU ALL ARE WILLING TO BE. THE QUESTION IS STILL IN THE MANDATORY PLACE. YOU DON'T HAVE TO ANSWER IT, BUT YOU'RE NOT TOLD THAT. SENATOR CRAWFORD VOTED FOR SOMETHING THAT TELLS THIS PERSON, YOU MUST ANSWER THIS, BUT IN REALITY YOU DON'T. AND YOU WILL BE FOOLED. YOU WILL BE TRICKED. AND I WANT YOU ALL TO KNOW THAT YOU'VE HAD THE COVER PULLED OFF YOU. YOU'RE A BUNCH OF TRICKSTERS AND SHYSTERS. AND SENATOR KINTNER ALWAYS TALKING ABOUT BEING A CONSERVATIVE AND LEVELING WITH THE PUBLIC, AND HE'S GOING ALONG WITH THIS SHAM. IT'S MANDATORY, BUT IT'S NOT. HE TALKED ABOUT HIS PEOPLE WANT TO KNOW HOW YOU VOTE. AND MAYBE THEY WANT TO KNOW WHY HE ENGAGED IN THIS KIND OF TRICKERY, FALSEHOOD, AND FRAUD. BY PUTTING SOMETHING ON THIS APPLICATION TELLING YOU, YOU MUST ANSWER, AND IF YOU DON'T YOU CAN'T GET YOUR LICENSE, YOU ARE FORCING SOMEBODY. AND TO SAY, BUT BACK SOMEWHERE IN A ROOM THESE EMPLOYEES ARE TOLD GIVE THEM THE LICENSE ANYWAY, WHAT KIND OF FOOLISHNESS IS THAT? [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: YOU SAY ONE MINUTE? THAT IS WORSE THAN FOOLISHNESS. THAT IS CRASS DISHONESTY OF THE WORST KIND. AND I DID HAVE RESPECT FOR SOME OF YOU ALL BEFORE. SOME OF YOU, I AM GOING TO TELL YOU THE TRUTH, THAT I HAD RESPECT FOR, I HAVE NONE. AND IT DOESN'T MATTER TO YOU WHETHER I RESPECT YOU OR NOT, BUT IT MEANS I'M GOING TO TREAT YOU DIFFERENTLY. I AM GOING TO LOOK WITH A DIFFERENT EYE AT

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EVERYTHING YOU SAY. YOU ARE NOT HONEST. YOU ARE NOT TELLING THE PUBLIC THE TRUTH. YOU ARE ENGAGING IN LYING TO THE PUBLIC AND MISLEADING THEM, ALL OF YOU WHO AGREE WITH THIS. IT'S NOT TRUE. WHAT YOU ARE PUTTING OUT THERE AS REPRESENTATIVES OF THE PEOPLE IS NOT TRUE. AND YOU KNOW IT'S NOT TRUE. YOU PLAY GAMES WITH LITTLE CHILDREN LIKE THAT: IF YOU DON'T EAT YOUR BROCCOLI THE MONSTER IS GOING TO COME OUT FROM UNDER THE BED AND GET YOU. WE'RE NOT DEALING WITH LITTLE CHILDREN AND BROCCOLI. WE'RE DEALING WITH THE PUBLIC WHO ENTRUSTED US WITH THE POWER AND AUTHORITY TO PASS LAWS AND WE SHOULD MAKE TRUTH,... [LB47]

SENATOR SCHEER: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: ...HONESTY, AND INTEGRITY OUR WATCHWORDS. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: SENATOR CHAMBERS, YOU ARE NEXT IN LINE. YOU'RE RECOGNIZED. [LB47]

SENATOR CHAMBERS: MR. PRESIDENT, I'VE GOT TO STAY ON THIS FOR SIX HOURS AND I'VE GOT TO KEEP SAYING IT OVER AND OVER AND OVER. AS DISHONEST AS WHAT'S HAPPENING IN HERE IS WORSE THAN WHAT USED TO HAPPEN IN THE LOUISIANA LEGISLATURE IN THE STATEHOUSE WHEN THE LONG BROTHERS WERE THERE. AND YOU LOOK DOWN YOUR NOSE AT SOME OF THESE OTHER LEGISLATURES, BUT I BET YOU CAN'T FIND A ONE OF THEM WHO TOOK A PIECE OF LEGISLATION AND ON ITS FACE WAS DISHONEST; IT WAS TOLD TO THEM, YOU ARE DISHONEST, YOU'RE MISLEADING THE PUBLIC, YOU ARE LYING TO THEM; AND THEY DID IT ANYWAY. NO, THEY WOULDN'T. IF THEY DIDN'T HAVE ENOUGH INTEGRITY, THEY WOULD WORRY ABOUT WHAT THE EDITORS MIGHT SAY ABOUT IT UNLESS THEY ARE SO MUCH CAUGHT UP IN TRYING TO GET PEOPLE TO PUT THEIR NAME ON THIS DONOR LIST THAT THEY WON'T REVEAL WHAT THIS LEGISLATURE HAS DONE. YOU TELL THEM YOU MUST DO THIS OR YOU CAN'T GET YOUR LICENSE. SO IF SOMEBODY DOESN'T DO IT BECAUSE OF PRINCIPLES, BUT THEN GOES THROUGH A CERTAIN AMOUNT OF DEPRESSION, ANXIETY, BECAUSE NOW HE OR SHE CANNOT OBTAIN THE LICENSE, THEN AFTER A PERIOD OF TIME THE LICENSE APPEARS IN THE MAILBOX WITH A NOTE, WE WERE JUST KIDDING. THE LEGISLATURE, BEING FOOLS, MAKE EVERY DAY APRIL FOOL'S DAY, AND THEY DID THIS AND WE HAD TO DO IT THE WAY THE FOOLS TOLD US TO DO IT. WE HAD TO DECEIVE YOU. WE HAD TO MISLEAD YOU. WE



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HAD TO HOODWINK YOU. WE HAD TO BAMBOOZLE YOU. YOU WERE MISLED. YOU WERE TRICKED. YOU WERE "TOKEN" BY YOUR STATE REPRESENTATIVES AND THEY MADE ME GO ALONG WITH IT. AND THEY SIT DOWN THERE AND PONTIFICATE AND ACT AS THOUGH THEY'RE HONORABLE, HONEST MEN AND WOMEN. THEN WHEN THEY GET TO SOME OF THESE OTHER ISSUES, THEY'RE GOING TO SAY, OH, WE GOT TO KEEP OUR WORD, WE OWE THIS TO THE PUBLIC. BUT YOU DON'T OWE IT TO THEM TO TELL THE TRUTH. AND IF YOU WOULD LIE IN THESE LITTLE THINGS, YOU'LL LIE IN THE BIG ONES TOO. IN ONE WAY I WILL CALL THIS THE POLYGRAPH BILL BECAUSE IT'S GOING TO SHOW WHO IS A TRUTH TELLER AND WHO IS A LIAR. YOU KNOW WHY I SAY A LIAR? BECAUSE YOU KNOW THIS IS DECEPTION. AND WHEN YOU GO ALONG WITH THE DECEPTION, YOU ARE AS GUILTY AS THE DECEIVER. YOU KNOW THAT. BUT IT SHOWS WHAT YOU ARE. YOU'RE WORTHY OF CONTEMPT. YOU DESERVE TO BE REVEILED. YOU HEARD WHAT SENATOR WATERMEIER TOLD YOU. THIS IS GOING TO BE IN THE MANDATORY COLUMN, BUT IT'S NOT MANDATORY. THEY DON'T TELL YOU THAT ALSO. THEY TELL THIS TO THOSE CLERKS IN THE BACK ROOM SO THAT THEY CAN DO IT AND SAY, WELL, THE LEGISLATURE PASSED THIS LAW AND ALLOWED US TO HOODWINK THESE PEOPLE. AND THAT'S THE WAY WE'RE GOING TO WORK AND DECEIVE THE PUBLIC. WHY IS IT SO ESSENTIAL THAT YOU TRICK PEOPLE ON THIS ISSUE? WHAT IS THERE ABOUT IT? YOU THINK THAT GETTING SOMEBODY TO PUT THEIR NAME ON A LIST IS GOING TO MAKE THEM DONATE IF THEY DON'T WANT TO? THAT'S WHAT OUGHT TO BE TOLD. THERE OUGHT TO BE AN EDUCATING PROCESS UNDERTAKEN WHERE THE STATE ITSELF SENDS OUT POSTCARDS AND TELLS THE PUBLIC--AND THE GOVERNOR SHOULD STAND WITH THE SPEAKER... [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...IF THE GOVERNOR SIGNS THE BILL: THIS BILL SAYS SUCH AND SUCH, BUT THAT IS NOT WHAT IT MEANS; YOU REALLY DON'T HAVE TO ANSWER THAT QUESTION ONE WAY OR THE OTHER. AND THEN THE PUBLIC WILL SAY, WELL, WHY DID THE LEGISLATURE PUT IT THERE, AND WHY DID THE GOVERNOR SIGN THE BILL, AND WHY DID THEY SPEND OVER \$100,000 TO TELL US THEY WERE FOOLS? THEY PUT STUFF IN THERE THAT MEANS NOTHING, AND NOW THEY'RE GOING TO TELL US AFTER THE FACT. BUT, SEE, YOU WON'T EVEN BE THAT HONEST. YOU WON'T EVEN COME CLEAN IN THAT WAY. BUT IT DOESN'T HAVE TO BE THAT WAY. WE DON'T HAVE TO DO THIS, WELL, YOU ALL. I AM NOT GOING TO PUT MY "WE" INTO IT BECAUSE I AM NOT GOING TO GO ALONG WITH IT. AND I WILL VOTE NO. I WILL FIGHT IT EVERY STEP OF THE WAY. AND

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EVERYTHING THAT IS DONE ONLY SERVES TO MAKE IT WORSE BECAUSE IT PUTS ON AN ADDITIONAL OVERLAY OF HYPOCRISY... [LB47]

SENATOR SCHEER: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: ...AND DISHONESTY. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR GROENE, YOU'RE RECOGNIZED. [LB47]

SENATOR GROENE: THANK YOU, SENATOR SCHEER. I'VE SAT HERE AND LISTENED. ON MY LICENSE I CHECKED AND I DID CHECK THAT I WANTED TO BE A DONOR...NO, I DO NOT WANT TO BE A DONOR. BUT IF SOMETHING HAPPENS, I WILL DONATE. (LAUGH) MY WIFE WILL DECIDE THAT, I GUESS, OR I'VE DECIDED IT. BUT FOR THE AVERAGE PERSON OUT THERE LIKE ME, I'M GOING TO GO THROUGH THIS, WHAT I THINK IS HAPPENING HERE. RIGHT NOW WHEN YOU GO GET A LICENSE, THERE'S A "SHALL," YOU SHALL ANSWER THE FOLLOWING. THEY'RE PUBLIC SAFETY ISSUES: HAVE YOU WITHIN THE LAST THREE MONTHS EPILEPSY, MENTAL ILLNESS, HEAD INJURY? THAT'S PUBLIC SAFETY. YOU COULD HAVE A HEAD-ON COLLISION, HARM SOMEBODY ELSE. NUMBER TWO, LOST VOLUNTARY CONTROL OF CONSCIOUSNESS, GOOD QUESTION, IT'S FOR THE SAFETY OF OTHERS. EXPERIENCE VERTIGO OR MULTIPLE EPISODES OF DIZZINESS OR FAINTING? THOSE ARE GOOD SHELL QUESTIONS BECAUSE YOU'RE OUT THERE ON THE ROAD AFFECTING OTHER PEOPLE'S LIVES. THEN WE GO DOWN TO AN OPTIONAL SECTION. YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS: DO YOU WISH TO REGISTER TO VOTE? DO YOU WISH TO HAVE THE WORD "VETERAN" DISPLAYED ON THE FRONT OF YOUR OPERATOR'S LICENSE? AND THEN THIS IS WHERE THE ORIGINAL LANGUAGE WAS: DO YOU WANT TO BE AN ORGAN DONOR? WHAT WE ARE CREATING HERE IS ANOTHER LIST. I WAS UNDER THE IMPRESSION WE WERE UNDER THE SHALL LIST, BUT WE ARE STARTING ANOTHER LIST WHICH REALLY THE LANGUAGE IS REALLY REDUNDANT. ON LINE 28 IT SAYS YOU "SHALL ANSWER THE FOLLOWING IF THE APPLICANT IS AT LEAST 16 YEARS OF AGE." THEN THE VERY NEXT LINE SAYS, "MANDATORY--YOU ARE REQUIRED TO ANSWER THE FOLLOWING QUESTION IF YOU ARE AT LEAST 16 YEARS OF AGE." THAT'S REDUNDANT TO ME. I'M NOT A LAWYER BUT IS THAT A DOUBLE NEGATIVE--YOU SHALL AND THEN YOU SHALL MANDATE? I DON'T LIKE THE LANGUAGE AT ALL. AND THEN WE'RE GOING TO TURN AROUND AND TELL THEM, WELL, WE'LL TELL THE EMPLOYEES, IF THEY DON'T ANSWER IT THEN YOU STILL GIVE THEM A LICENSE, EVEN

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THOUGH WE DON'T LET THEM KNOW THAT. AND THEN FINALLY THE APPLICANT HAS TO SAY, APPLICATION FOR THE OPERATOR'S LICENSE OR STATE IDENTIFICATION CARD SHALL INCLUDE A SIGNED OATH, AFFIRMATION, OR DECLARATION OF THE APPLICANT THAT THE INFORMATION PROVIDED ON THE APPLICATION FOR THE LICENSE OR CARD IS TRUE AND CORRECT. HOW CAN YOU SIGN THAT IF YOU DID NOT CORRECTLY ANSWER THE QUESTION THAT SAYS IT'S A MANDATE? THIS IS WRONG. I MEAN, I SYMPATHIZE WITH SENATOR WATERMEIER, I LIKE THE THIRD OPTION, BUT THIS IS BAD LANGUAGE. I MEAN I...NOW I'M NOT A LAWYER. THIS HAS BEEN MESSED WITH, AMENDED SO MUCH THAT WE'RE REDUNDANT. WE'VE CREATED A THIRD CATEGORY. AND I CAN UNDERSTAND WHY DMV DID NOT WANT THIS UNDER THE SHALL LIST, BECAUSE THE SHALL LIST IS PUBLIC SAFETY QUESTIONS. IF YOU GIVE...DONATE YOUR ORGANS OR NOT, IT HAS NOTHING TO DO WITH THE SAFETY OF THE FELLOW OPERATORS OF VEHICLES ON THE HIGHWAY. IT SHOULD NOT BE IN THAT SAME CLASSIFICATION. I PERSONALLY LIKE THE THIRD OPTION, YOU KNOW, BECAUSE WE AS HUMANS DON'T WANT TO FACE MORTALITY, AS SENATOR HILKEMANN SAID EARLIER. WE DON'T WANT TO MAKE WILLS OUT. WE DON'T WANT TO THINK ABOUT DEATH, WHICH EVEN NO MATTER WHAT THE FINE LANGUAGE OF OBAMACARE SAYS, NONE OF US ARE GOING TO LIVE FOREVER EVEN WITH THE BEST HEALTHCARE. I WANT TO SEE...I WANT SOMEBODY TO GET THAT "MANDATORY" OUT OF THERE. IT'S...YOU KNOW,... [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR GROENE: ...I AM GOING TO FIGHT THE VACCINATION BILL HERE COMING UP. HOW CAN I VOTE FOR THIS ON A PRIVILEGE OF OPERATING THAT SAYS YOU CANNOT HAVE YOUR PRIVILEGE TO DRIVE IF YOU DON'T ANSWER THIS QUESTION, AN UNRELATED QUESTION? HOW, IN TURN, WHICH I WILL ASK SOME OF THE SENATORS, A CONSTITUTIONAL RIGHT TO A FREE INSTRUCTION IN OUR PUBLIC SCHOOLS, HOW CAN I TAKE THAT CONSTITUTIONAL RIGHT FROM YOU IF YOU DO NOT GET A CERTAIN VACCINATION? SO TO BE TRUE TO MYSELF AND MY BELIEFS, I CAN'T BE FOR EITHER ONE. THE "MANDATORY" NEEDS TO GO. I KNOW IT'S A GOOD CAUSE, BUT WE ARE A FREE SOCIETY. IF YOU WANT TO GO TO YOUR GRAVE WITH YOUR ORGANS AND NOT LET PEOPLE KNOW THAT YOU HAVE YOUR ORGANS IN YOU WHEN YOU ARE IN THE GRAVE OR YOU DON'T, THAT'S YOUR RIGHT. BUT I WOULD LIKE TO PUT A LITTLE BIT...MAKE PEOPLE THINK A LITTLE MORE THAT, FOR THE GREATER GOOD, TO DONATE YOUR ORGANS ISN'T A BAD IDEA. BUT WE'RE CREATING A WHOLE MESS HERE. [LB47]

SENATOR SCHEER: TIME, SENATOR. [LB47]

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SENATOR GROENE: THANK YOU. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR GROENE. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, AGAIN, MR. PRESIDENT. I WAS GIVEN BY SENATOR WATERMEIER THE AGE, THE MINIMUM AGE, AT WHICH YOU COULD BECOME A DONOR. THE LANGUAGE ON IT IS NOT REAL CLEAR. SENATOR EBKE CAME OVER. THIS, WHAT I WAS GIVEN, SAID NO ONE UNDER 16. SENATOR EBKE CAME OVER AND QUESTIONED THAT. I CALLED STAFF, HAD THEM DIG DEEPER INTO IT, AND ACTUALLY THE PARENTS DO CONTROL. THEY CAN GIVE YOUR ORGANS AWAY AT ANY TIME UNLESS YOU ARE UNDERWEIGHT AT BIRTH. THERE IS A MINIMUM STANDARD THERE. BUT IF YOU ARE ONE YEAR OLD AND PASS ON, THE PARENTS HAVE THAT RIGHT. I JUST WANTED TO CLARIFY THAT. SO THE AMENDMENT THAT I WAS TALKING ABOUT TO CHANGE THIS BILL INTO SOMETHING WHERE WE COULD DO YOUNGER IS NOT NECESSARY. THAT ALREADY EXISTS. AND I'D YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. SENATOR CHAMBERS, YOU HAVE 3:35. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. PEOPLE HAVE MADE REFERENCE ON A NUMBER OF OCCASIONS DURING THIS DISCUSSION TO AN UNWILLINGNESS TO FACE OUR OWN MORTALITY, WHICH MEANS THAT WE'RE GOING TO CROAK. WHEN YOU GET OLD, WHAT CAN AN OLD FROG DO OTHER THAN CROAK? I'M OLDER THAN ANYBODY IN HERE. THERE IS A LATIN EXPRESSION, TIMOR MORTIS CONTURBAT ME--THE FEAR OF DEATH IS UPON ME. IS THAT THE WAY YOU WALK AROUND, KNOWING YOU'RE GOING TO DIE? YOU DON'T KNOW WHEN, YOU DON'T KNOW HOW, BUT YOU KNOW FOR SURE THAT'S THE ONLY WAY YOU'RE GOING TO GET OUT OF THIS WORLD. THE BIBLE HAS SAID THAT THE DAYS OF A MAN'S LIFE ARE THREE SCORE AND TEN YEARS. THAT'S 70 YEARS. I PASSED THAT, SO I'M LIVING ON BORROWED TIME BASED ON THE BIBLE. THERE'S A GUY WHO IS PUTTING FORTH A PROGRAM WHERE YOU CAN LIVE FROM 12 TO 15 YEARS LONGER THAN IS ORDINARILY THE CASE. AND WITH ALL THE ADVANCEMENTS IN MEDICINE AND HEALTHCARE AND SO FORTH, THE AVERAGE LIFE SPAN IN THIS COUNTRY IS 77 YEARS. I'VE PASSED THAT BENCHMARK. SO I'VE GOT TWO STRIKES AGAINST ME ALREADY. I AM LIVING ON BORROWED TIME. BUT DO YOU THINK EVERY TIME I

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PASS A CEMETERY I SAY THAT'S WHERE THEY'D PUT ME IF IT WEREN'T FOR THE FACT THAT I'M GOING TO BE CREMATED? AND I DON'T KNOW THAT I'LL BE CREMATED. ALL THAT IS IN THE HANDS OF SOMEBODY ELSE. BUT THE POINT IS THIS. I KNOW THAT A DAY IS GOING TO COME WHEN I WILL NOT BE HERE. THERE WAS A VERY YOUNG POET IN ENGLAND: WHEN I HAVE FEARS THAT I MAY CEASE TO BE BEFORE MY PEN HAS GLEANED MY TEEMING BRAIN. HE WAS WORRIED ABOUT DEATH SURPRISING HIM BEFORE HE WOULD HAVE THE OPPORTUNITY TO SAY ALL OF THE THINGS THAT WERE IN HIS MIND. SO THERE ARE VARIOUS REASONS WHY PEOPLE FEAR DEATH. THE BOOK OF REVELATION EVEN SAYS: I BEHELD A PALE HORSE AND THE NAME THAT SAT UPON HIM WAS DEATH. [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR CHAMBERS: SO DEATH IS ONE OF THOSE THINGS THAT WILL CONJURE IN PEOPLE'S MINDS VARIOUS REACTIONS, AND THOSE REACTIONS ARE BASED ON HOW YOU HAVE BEEN CONDITIONED, HOW YOU'VE BEEN TAUGHT, AND WHAT YOU, WITH WHATEVER THINKING YOU'VE DONE, HAVE COME TO BELIEVE. IF YOU THINK THERE'S SOMETHING AFTER THIS, YOU BEHAVE ONE WAY MOST OF THE TIME. IF YOU THINK THERE IS NOTHING AFTER THIS, YOU BEHAVE A CERTAIN WAY. IF YOU'RE NOT SURE, YOU BEHAVE A CERTAIN WAY. BUT WHETHER YOU BELIEVE THERE IS OR THERE ISN'T OR YOU'RE NOT SURE, YOU KNOW THAT THE HERE AND NOW IS NOT GOING TO EXIST FOR YOU ALL THE TIME. YOU ARE GOING TO CROAK. BUT THAT MAY NOT BE TRUE. NOT ANYBODY KNOWS WITH ABSOLUTE CERTAINTY WHAT'S GOING TO HAPPEN TO EACH SPECIFIC INDIVIDUAL. IF A LEMON IS GENERALLY SOUR, YOU WON'T KNOW THAT THIS ONE IS SOUR UNTIL YOU BITE INTO IT. [LB47]

SENATOR SCHEER: SENATOR CHAMBERS, YOU'RE NOW ON YOUR TIME. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: SENATOR CHAMBERS, YOU'RE NEXT UP. YOU'RE ON YOUR 5:00 NOW. [LB47]

SENATOR CHAMBERS: RIGHT. THANK YOU. CONCLUSIONS ARE DRAWN IN THIS WORLD BASED ON WHAT YOU MIGHT CALL A STATISTICAL ANALYSIS, EVEN IF YOU DON'T CALL IT THAT. BUT IF YOU SEE TEN OBJECTS AND THEY ALL LOOK EXACTLY ALIKE AND YOU TASTE THEM, AND THE FIRST NINE HAVE A CERTAIN TASTE, YOU CONCLUDE WITHOUT TASTING THE TENTH ONE THAT IT ALSO HAS

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THAT SAME TASTE. BUT YOU DON'T KNOW. YOU INFER. YOU SPECULATE. BUT YOU DON'T KNOW UNTIL YOU TASTE IT. AND IF YOU TASTE IT, IT MAY NOT TASTE THE SAME AS THE OTHERS. YOU WON'T KNOW WITH CERTITUDE WHAT IS GOING TO HAPPEN THE NEXT MINUTE UNTIL THAT MINUTE BECOMES THE PRESENT AND YOU'RE LIVING IN IT AND YOU SEE WHAT NOW IS HAPPENING. PEOPLE DON'T THINK ABOUT ANYTHING. THEY DON'T MEDITATE FOR THE PURPOSE OF TRYING TO FIND OUT WHAT'S GOING ON AND WHY. IF THEY TALK ABOUT MEDITATION, THEY MEAN TRY TO GET INTO SOME STATE WHERE YOU'RE NOT THINKING ABOUT ANYTHING. BUT TO OTHERS, THE WORD MEANS SOMETHING DIFFERENT. BUT I'LL TELL YOU ONE WORD THAT EVERYBODY HAS AN UNDERSTANDING OF. THAT WORD IS "LIE." NOBODY WANTS TO BE CALLED A LIAR. BUT A LIAR WILL STEAL, AND A THIEF WILL LIE. AND YOU ALL KNOW YOU ARE PARTICIPATING IN AN OFFICIAL LIE, ONLY BECAUSE YOU WANT TO MAKE SOMEBODY READ SOMETHING. BUT YOU DON'T TELL THE PERSON THAT THIS IS NOT FOR REAL. YOU KNOW WHAT WAS FOUND TO BE TORTURE THAT THE AMERICANS WERE DOING TO SOME PRISONERS THAT THEY CAPTURED IN AFGHANISTAN? THEY PUT A GUN TO THEIR HEAD AND COCK IT AND MAKE THE PERSON THINK THERE WAS A BULLET IN IT WHEN THERE WASN'T. AND THE U.N. AND THE LAWS OF WAR HAVE DETERMINED SUCH CONDUCT IS TORTURE. IT DOESN'T HAVE TO BE A PHYSICAL PAIN BUT A PAIN IN THE MIND. YOU CAN BE TORTURED MENTALLY IN A WAY THAT IS MORE EXCRUCIATING THAN IF THEY RAN HOT NEEDLES UNDER YOUR FINGERNAILS. HUMAN BEINGS ARE CALLED HOMO SAPIENS--THE WISE ONES, THE ONES WHO ARE WISE. BUT WHERE IS THE WISDOM? AND IF IN A LEGISLATURE WHERE YOU WERE GOING TO PRESUME, OR YOU'D LIKE TO BE ABLE TO PRESUME, THAT YOU HAVE THOUGHTFUL, INTELLIGENT, WISE PEOPLE, AND YOU COME AND LISTEN TO WHAT WE'VE DONE HERE TODAY, AND KNOW THAT WE...YOU ALL, YOUR LEGISLATURE, IS PARTICIPATING IN A SHAM TO TRICK AND HOODWINK THE PUBLIC INTO THINKING THEY MUST DO SOMETHING OR A RIGHT THAT THEY HAVE...AND THAT IS A RIGHT TO APPLY FOR A DRIVER'S LICENSE. THERE ARE CONDITIONS IF YOU DON'T PASS THE TEST, BUT THE RIGHT TO APPLY IS THERE. AND YOU SHOULD NOT WEIGHT IT DOWN WITH A LOT OF EXTRANEIOUS NOTIONS, IDEOLOGIES, AND ISMS BECAUSE YOU THINK THAT WHEN YOU CATCH THIS PERSON IN THIS SITUATION WHERE HE OR SHE ABSOLUTELY NEEDS SOMETHING, AND TELL THAT PERSON YOU'RE GOING TO BE DENIED THAT BY THE COERCIVE POWER OF THE STATE UNLESS YOU DO WHAT THE STATE IS ORDERING YOU TO DO. [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

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SENATOR CHAMBERS: AND THE STATE IS ORDERING YOU TO DO IT, NOT BECAUSE THERE IS ANY COMPELLING INTEREST INVOLVED, BUT BECAUSE SOME DO-GOODER ORGANIZATION WANTS THIS DONE, AND THEY WANT TO MAKE EVERYBODY PAY ATTENTION TO IT. SO YOU'RE GOING TO BE DENIED THIS RIGHT. SO YOU HAVE PRINCIPLES, YOU HAVE SCRUPLES--AND I KNOW THE SENATORS FIND THAT HARD TO BELIEVE SINCE THEY DON'T HAVE ANY THEMSELVES--AND YOU WILL NOT RESPOND TO THE QUESTION. AND YOU THINK, I CAN'T GET A LICENSE; I HAVE TO TRY TO FIND PEOPLE TO DRIVE ME EVERYWHERE I WILL GO UNLESS I WANT TO RUN THE RISK OF BEING CAUGHT WITHOUT A LICENSE AND BE CRIMINALIZED THEREBY. THIS IS SOMETHING ELSE YOU'RE WILLING TO DO. THEN, AS I SAY, AT SOME POINT YOU'RE NOTIFIED THAT YOU CAN GET THE LICENSE ANYWAY. YOU THINK THEY APPRECIATE THAT? IF I PUT THAT GUN ON YOU AND IT'S NOT LOADED, YOU'RE GOING TO THINK KINDLY TOWARD ME BECAUSE NOW I TELL YOU, AFTER PUTTING YOU THROUGH THAT AGONY, IT WASN'T LOADED ANYWAY? [LB47]

SENATOR SCHEER: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB47]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. THIS GETS CURIOUSER AND CURIOUSER, AS I THINK THEY SAY. I HAVE TO AGREE WITH WHAT SENATOR GROENE SAID. THIS THING, AS IT'S BEEN AMENDED NOW, IS UNBELIEVABLY CONFUSING. YOU START OUT WITH A MANDATORY SECTION WHICH MAKES SENSE, WHETHER OR NOT YOU CAN SEE STRAIGHT AND DO YOU...YOU'VE GOT SEIZURES OR THINGS. THEN IT TELLS YOU IN CAPITAL LETTERS, "OPTIONAL--YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING." AND IT ASKS YOU A BUNCH MORE QUESTIONS THAT YOU CAN ANSWER OR NOT ANSWER. THEN IT SAYS, AND YOU ARE REQUIRED...YOU SHALL ANSWER THE FOLLOWING. "MANDATORY--YOU ARE REQUIRED TO ANSWER THE FOLLOWING." NOW YOU SHOULD BE GETTING PRETTY CONFUSED BY THIS POINT IF YOU CAN READ IT ALL. AND THEN IT ASKS YOU, DO YOU WISH TO INCLUDE YOUR NAME FOR...IN THIS REGISTRY: YES, NO, ELECT NOT TO ANSWER. I SUPPOSE THERE'S SOME BOXES OR SOMETHING FILLED IN WITH THAT. WELL, WHAT IF YOU JUST BLOW THAT OFF? YOU DON'T REFUSE. YOU DON'T SAY YES. YOU DON'T SAY NO. YOU STAND SILENT. THAT'S NOT...STANDING SILENT IS NOT A

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REFUSAL, ALL RIGHT? SO DO YOU GET A LICENSE? BECAUSE THE NEXT SENTENCE SAYS, "AN APPLICANT'S REFUSAL TO RESPOND"--WELL, I DIDN'T RESPOND; I DIDN'T REFUSE; I JUST STOOD SILENT--"SHALL NOT PRECLUDE THE DEPARTMENT FROM ISSUING" A OPERATOR'S LICENSE OR STATE IDENTIFICATION. DOESN'T TELL THEM THEY SHALL ISSUE IT, BUT IT SHALL NOT PRECLUDE. IT'S KIND OF IN THE NEGATIVE. SO I'M NOT SURE WHO DRAFTED THIS PARTICULAR VERSION OF IT, BUT IT LEAVES ME CONFUSED. BUT EVEN MORE SO, SOMEONE PROVIDED US WITH A COPY OF THE ACTUAL APPLICATION FORM. AND IT SAYS AT THE BOTTOM: BY SIGNING THIS DOCUMENT, I SWEAR OR AFFIRM THAT THE ANSWERS I PROVIDED AS PART OF THIS APPLICATION ARE TRUE. I ASSUME THAT THERE'S A STATUTE THAT MAKES THAT AN OATH AND MAKES LYING THERE PUNISHABLE BY THE CRIME OF PERJURY. NOW WHAT BOTHERS ME A WHOLE LOT IS WE HAVE SOME STATE EMPLOYEE APPARENTLY SOMEWHERE IN THE SYSTEM WHO IS DUMB ENOUGH TO SEND OUT AN E-MAIL SAYING, OH, WELL, THAT'S NO PROBLEM, I CAN ALTER THAT SWORN STATEMENT, NO PROBLEM. WOW! WE KIND OF SHOULD BE CONCERNED. I CHECKED THROUGH SOME OF THE OLD CRIMINAL STATUTES THAT EXIST. NOT ONLY IS THAT MESSING WITH A SWORN STATEMENT, BUT IT SEEMS TO BE THAT A COUNTY ATTORNEY COULD CHARGE OBSTRUCTION OF GOVERNMENT OPERATIONS AND ALSO THERE'S A STATUTE WHICH SPECIFICALLY SAYS THAT IT'S A CLASS II MISDEMEANOR, IN THIS ONE ONLY A CLASS II, IF YOU KNOWINGLY MAKE A FALSE ENTRY IN OR FALSELY ALTERS ANY PUBLIC DOCUMENT. HOLY SMOKES! WHAT'S WRONG WITH OUR DEPARTMENTS THAT THEY WOULD FEEL COMFORTABLE IN SAYING, AH, GO AHEAD AND FILL IN THE BLANK? THERE'S GOT TO BE A BETTER WAY TO ADVERTISE THAT, GEE WHIZ, WE REALLY WANT TO CREATE A WAY TO EFFICIENTLY HARVEST ORGANS AND GET YOU TO DONATE, EVEN THOUGH YOU REALLY DON'T HAVE TO DONATE BECAUSE YOU DON'T HAVE THE RIGHT TO DONATE TO BEGIN WITH BECAUSE IT'S NOT YOURS ANYMORE WHEN YOU'RE DEAD. SO THERE'S GOT TO BE A BETTER WAY THAN THIS. THIS IS TREMENDOUSLY WELL INTENTIONED. IT PROBABLY WILL SAVE THE STATE MONEY. [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

SENATOR SCHUMACHER: BUT IT'S DOING SO IN A WAY THAT PERVERTS A LOT OF VALUES THAT WE HAVE. AND I'VE BEEN VOTING NO ON THIS THING, NOT BECAUSE I'M OPPOSED TO ORGAN TRANSPLANTS--I THINK, LIKE I SAID, THEY'RE A GOOD THING--BUT BECAUSE I'M OPPOSED TO THIS PERVERSION OF OUR SYSTEM OF GOVERNMENT AND OUR RESPECT FOR THE RIGHT TO SIMPLY REMAIN SILENT. THANK YOU. [LB47]



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SENATOR SCHEER: THANK YOU, SENATOR SCHUMACHER. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB47]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, I REALLY LIKE THE CONCEPT OF ORGAN DONATION. ACTUALLY, MY BODY IS GOING TO GO TO THE MEDICAL CENTER FOR...TO...FOR MEDICAL STUDENTS, BUT THAT'S ANOTHER ISSUE. WHAT I DID IS I PASSED OUT THE CURRENT FORM THAT'S ON THE INTERNET. AND I'M TOLD THERE'S GOING TO BE ANOTHER AMENDMENT THAT MAYBE CLARIFIES THINGS. BUT IF YOU LOOK AT THIS FORM, IT REALLY IS BOTHERSOME. IT SAYS THERE ANSWERS ARE OPTIONAL AND THEN IT TALKS ABOUT ALL THESE THINGS ABOUT ORGAN DONORS. AND IT'S NOT JUST ONE QUESTION ABOUT ORGAN DONORS. IT'S: WOULD YOU LIKE TO RECEIVE MORE INFORMATION? WOULD YOU LIKE TO DONATE \$1? SO IF YOU'RE GOING TO SIGN UP DIFFERENTLY FOR, YEAH, YES OR NO, I'M GOING TO BE AN ORGAN DONOR OR NOT, IS THAT GOING TO BE IN THE SAME SECTION AS THE, DO YOU WANT MORE INFORMATION, DO YOU WANT TO DONATE \$1, OR WHAT? WORDS ARE REALLY IMPORTANT, AND SO MANY PEOPLE DISTRUST ALL POLITICIANS THAT I THINK IF WE MAKE THINGS CONFUSING, WE DESERVE THAT JUDGMENT. THEN IF YOU GO DOWN IT SAYS, EVERYONE ELSE MUST ANSWER THE FOLLOWING QUESTIONS. AND THEN BELOW, AT THE BOTTOM, IT TELLS WHAT THE PENALTIES ARE. AND THIS OUGHT TO SCARE ANYBODY WHEN IT TALKS ABOUT LYING OR FALSE OR FICTITIOUS NAME, KNOWINGLY MAKING A FALSE STATEMENT. I THINK THAT'S LYING. I CONTINUE TO LISTEN. I STARTED OUT THIS MORNING BEING IN FAVOR OF THIS WHOLE CONCEPT BECAUSE, AGAIN, I LIKE THE IDEA OF ORGAN DONATION. IT HELPS OTHER PEOPLE. I THINK IT'S A GREAT WAY TO LEAVE THIS WORLD. BUT WE'VE GOT TO BE UP-FRONT AND HONEST WITH PEOPLE. I STRONGLY BELIEVE IN TRUTH IN ADVERTISING, AND IF WE OBFUSCATE THAT TRUTH THEN WE DESERVE THE CRITICISM. THANK YOU SO MUCH. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR HAAR. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED, AND THIS IS YOUR THIRD TIME. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. FRANKLY, I'M GLAD IT'S MY THIRD TIME. I'M BEGINNING TO WEARY OF THIS WHOLE THING. COLLEAGUES, I'M NOT OPPOSED TO DONATING BODY PARTS. CLEAR BACK IN 1954, WHEN MY FATHER PASSED AWAY, HIS EYES WERE DONATED. THAT WAS THE FIRST THING THAT I THINK WE ACTUALLY DID IMPLANTS OR TRANSPLANTS ON 60 YEARS AGO. TECHNOLOGY HAS ADVANCED. WE CAN NOW SAVE LIVES, NOT JUST SIGHT. BUT THOSE EYES 60 YEARS AGO WERE GIVEN VOLUNTARILY. THERE WAS NO PRESSURE PUT ON, THERE WAS NO MANDATE CREATED. I HAVE OPPOSED

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THIS STEADFASTLY, AS HAVE A COUPLE OF OTHER SENATORS HERE, NOT BECAUSE WE'RE OPPOSED TO ORGAN DONATION BUT BECAUSE WE CHOOSE TO DEFEND THE FIRST AMENDMENT OF THE CONSTITUTION--THE RIGHT TO SPEAK OR NOT TO SPEAK, TO MAKE COMMENT OR NOT TO MAKE COMMENT. THAT'S WHAT WE'RE TALKING ABOUT HERE. I AM VERY PLEASED THAT SENATOR CHAMBERS HAS JOINED THIS BATTLE AND THAT HE HAS CARRIED THE BALL ON IT. I HOPE IT GOES TO A CLOTURE VOTE AND THAT AT THAT POINT WE ARE ABLE TO DEFEAT IT. I THINK THAT'S WHERE WE NEED TO GO AT THIS POINT IF WE CANNOT GET THE BILL WITHDRAWN. BUT I WILL, ALTHOUGH I AM WEARYING OF THIS, I WILL BE WITH SENATOR CHAMBERS UP TO THAT POINT AND INCLUDING THAT POINT, BECAUSE, AGAIN, WE ARE DEFENDING THE FIRST AMENDMENT TO OUR FEDERAL CONSTITUTION. THANK YOU, MR. PRESIDENT. I YIELD THE REMAINDER OF MY TIME ONCE AGAIN TO SENATOR CHAMBERS. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. SENATOR CHAMBERS, YOU HAVE 2:35. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. AND, SENATOR BLOOMFIELD, I'M NOT GOING TO QUIT. I'M GOING TO CONTINUE AND CONTINUE, BECAUSE I RESPECT THE LAW MORE THAN I RESPECT ANY CHUCKLEHEADED MORONS WHO WILL TRY TO MISLEAD THE PUBLIC AND PUT IT IN THE LAW, KNOWING THAT'S WHAT THEY'RE DOING, KNOWING. WHY DON'T THE REST OF THEM SPEAK UP? YOU KNOW WHAT THEY CAN DO IF THEY'RE SO ALL-FIRED INTENT ON THIS? OFFER A RESOLUTION RECOMMENDING AND SUPPORTING ORGAN DONATION. THEN YOU'RE DEALING WITH THE ISSUE THAT YOU SAY MEANS SOMETHING TO YOU. AND I WILL NOT TOUCH THAT ISSUE. YOU CAN HAVE ANY OPINION YOU CHOOSE. BUT I WILL BECOME INVOLVED WHEN YOU'RE GOING TO CORRUPT THE SYSTEM OF LAWMAKING, AND NOT JUST CORRUPT THE SYSTEM AND THE PROCESS, BUT YOU'RE GOING TO PRODUCE A PRODUCT THAT IS KNOWINGLY MISLEADING, DECEPTIVE, AND SHOULD, WHEN THE CHICANERY IS DISCOVERED, RESULT IN UNIVERSAL CONDEMNATION AND CONTEMPT OF AND FOR THIS LEGISLATURE. IT IS UNFIT TO ENACT LAWS FOR THE PUBLIC WHEN THEY KNOWINGLY AND INTENTIONALLY DECEIVE THAT PUBLIC. YOU DIDN'T TAKE AN OATH TO DECEIVE THE PEOPLE. BUT THAT'S WHAT YOU'RE DOING. THAT'S WHY I SAY YOU... [LB47]

SENATOR SCHEER: ONE MINUTE. [LB47]

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SENATOR CHAMBERS: ...YOU SAY YOU WORSHIP GOD, BUT YOU FOLLOW THE DEVIL'S WAY. SO I'M GOING TO JUDGE YOU BY THE ONE YOU FOLLOW, BECAUSE YOUR ACTIONS SPEAK LOUDER THAN WORDS. AND YOUR ACTIONS ARE THOSE OF PEOPLE WHO BELIEVE IN DECEIVING AND MISLEADING THE PUBLIC. MANY OF YOU COULD NOT EVEN EXPLAIN WHAT WE'VE BEEN TALKING ABOUT. YOU DON'T EVEN KNOW THAT. SO ON TOP OF VOTING FOR SOMETHING THAT'S DECEPTIVE, YOU'RE IGNORANT OF WHAT IT SAYS AND YOU DON'T WANT TO KNOW. YOU ARE WHAT IS CALLED IN THE LAW WILLFULLY BLIND. YOU DELIBERATELY AVOID COMING TO THE KNOWLEDGE OF A FACT BECAUSE YOU CANNOT FACE THAT FACT AND ENGAGE IN THE WRONGFUL CONDUCT YOU WANT TO ENGAGE IN WITHOUT YOUR CONSCIENCE BOTHERING YOU. BUT I THINK EVEN A DUMBBELL, AFTER THIS DISCUSSION, UNDERSTANDS THE DECEPTION THAT IS INVOLVED IN THE... [LB47]

SENATOR SCHEER: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: YOU ADOPTED THAT AMENDMENT. YES, YOU DID. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR CHAMBERS, THERE IS NO ONE WISHING TO SPEAK. YOU'RE RECOGNIZED TO CLOSE ON YOUR MOTION TO RECONSIDER. [LB47]

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, I SAID I'M GOING TO REPEAT IT AND REPEAT IT. THE TRUTH DOESN'T CHANGE. I'VE OFTEN TOLD PEOPLE THAT WHEN YOU ARGUE WITH A FOOL, IT'S LIKE ARGUING WITH A BRICK WALL. BUT I HAVE A DUTY AND A RESPONSIBILITY, SINCE I AGREED TO SERVE IN THIS LEGISLATURE, TO CONTINUE STANDING AGAINST THE FOOLS. THE SEASHORE CANNOT STOP THE OCEAN. THE OCEAN, IF IT PUSHES WITH ENOUGH FORCE, WILL RISE UP AND COVER PART OF THE SEASHORE. BUT THEN THE WATER WILL RECEDE. AND UNDER ORDINARY CIRCUMSTANCES, THE SEASHORE WILL SAY, THIS FAR SHALL YOU COME AND NO FARTHER. WELL, I'M GOING TO BE LIKE ONE OF THOSE WALLS WHERE THE WAVES WILL RUN AGAINST THE WALL, DASH THEMSELVES INTO A THOUSAND DROPLETS, BUT THEY WILL GO NO FARTHER THAN THAT WALL. IT WILL NOT ALLOW THEM TO PASS. SO I'VE GOT TO STOP, IF I'M ABLE, THIS DECEPTION BEING WORKED ON THE PUBLIC. AND I HAVE TO USE EVERY MEANS AT MY DISPOSAL. AND YOUR BILLS ARE AT MY DISPOSAL. THIS PROCESS IS AT MY DISPOSAL. IF YOU ARE ENTITLED TO CORRUPT IT AND USE IT TO DECEIVE THE PUBLIC, I WILL RECIPROCATATE AND USE IT TO TRY TO

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STOP YOU FROM DOING THAT. TODAY IS NOT THE END OF THIS ISSUE. AS LONG AS THIS BILL IS VIABLE--THAT MEANS IT HASN'T BEEN KILLED OR WITHDRAWN-- I'M GOING TO BE ITS IMPLACABLE FOE, UNYIELDING, UNTIRING, RELENTLESS, DETERMINED, FEROCIOUS. BUT IT IS SHOWING ME A LOT ABOUT PEOPLE IN THIS LEGISLATURE THAT I DID NOT KNOW BEFORE, THAT I WOULD NOT HAVE EVEN SURMISED TO BE THE CASE. I WOULD NOT CALL YOU SHEEP, BECAUSE I WOULD BE DEFAMING SHEEP. I COULD NOT CALL YOU LEMMINGS. I WOULD BE INSULTING LEMMINGS. THE ONLY THING I CAN CALL YOU ARE MEMBERS OF THE NEBRASKA LEGISLATURE BECAUSE THAT IS THE ABSOLUTE NADIR. THERE IS NOTHING LOWER THAN THAT. YOU ARE THE STANDARD BY WHICH OTHERS ARE JUDGED. YOU ARE THE BOTTOM OF THE BARREL. YOU KNOWINGLY AND INTENTIONALLY DECEIVE THE PUBLIC. SOME OF YOU HAVE GONE TO SCHOOL. YOU HAVE DEGREES. YOU ARGUE MORALITY. YOU ARGUE FAIRNESS. YOU TALK ABOUT FAIRNESS TO THESE RURAL AREAS, AND THEN YOU ENGAGE IN DECEIVING THE PUBLIC. HOW CAN YOU DO IT? IF YOU HAVE CHILDREN OR GRANDCHILDREN, WILL YOU LOOK THEM IN THE EYE AND SAY, YOUR GRANDPA OR YOUR GRANDMA FOOLS PEOPLE? WELL, GRANDMA, YOU TOLD ME TO TELL THE TRUTH. WELL, THAT'S WHAT LITTLE CHILDREN SHOULD DO, BUT WHEN YOU GET TO BE A GRANDPA, YOU DON'T HAVE TO TELL THE TRUTH. WHEN YOU GET TO BE GRANDPA, YOU TRICK PEOPLE, YOU FOOL PEOPLE, YOU MAKE THEM THINK ONE THING BUT YOU MEAN SOMETHING ELSE. BUT WHILE YOU'RE A LITTLE BITTY KID, YOU DON'T DO THAT. BUT, GRANDPA, I ALWAYS THOUGHT THAT I WAS SUPPOSED TO BE LIKE YOU AND I WANTED TO GROW UP TO BE LIKE YOU, BUT I DON'T WANT TO FOOL PEOPLE. JOHNNY IS MY BEST FRIEND AND MARY IS MY BEST FEMALE FRIEND. GRANDPA, I DON'T WANT TO FOOL THEM. WELL, JOHNNY, WHILE YOU'RE LITTLE YOU DON'T FOOL THEM. BUT, GRANDPA, I WANTED TO GROW UP AND BE LIKE YOU, BUT I DON'T WANT TO BE LIKE YOU ANYMORE. (SLAPS HAND) DON'T GET SMART WITH ME, BOY! [LB47]

SENATOR COASH PRESIDING

SENATOR COASH: ONE MINUTE. [LB47]

SENATOR CHAMBERS: YOU ALL DON'T STOP TO LOOK AT THE DAMAGE THAT YOU'RE DOING. AND THE THING THAT MAKES IT SO BAD, YOU DON'T EVEN CARE. BUT YOU'RE GOING TO SPONGE OFF THE LOBBYISTS. (LAUGH) BOY, LAUGHTER IS THE BEST MEDICINE. IF YOU DON'T HAVE A SENSE OF HUMOR AND YOU CAN'T LAUGH, YOU WILL LOSE YOUR MIND IN A PLACE LIKE THIS. WOULD I SAY THAT THE PEOPLE ON THIS FLOOR SUFFER FROM INSANITY? NO. I WOULD SAY THEY DON'T SUFFER FROM IT; THEY ENJOY IT. WHEN YOU DO THAT WHICH IS

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IRRATIONAL, THAT'S NOT SANE. AND IT'S IRRATIONAL FOR PEOPLE, WHO SWORE AN OATH, TO VIOLATE THAT OATH KNOWINGLY AND INTENTIONALLY TO PLACATE SOME IDEOLOGY. [LB47]

SENATOR COASH: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE CLOSING ON THE MOTION TO RECONSIDER. SENATOR CHAMBERS? [LB47]

SENATOR CHAMBERS: I'D LIKE A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB47]

SENATOR COASH: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB47]

CLERK: 26 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB47]

SENATOR COASH: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. MEMBERS, THE QUESTION BEFORE THE BODY IS, SHALL THE MOTION PREVIOUSLY VOTED ON BE RECONSIDERED? THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE, MR. CLERK, IN THE REVERSE ORDER. MR. CLERK, PLEASE CALL THE ROLL. [LB47]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 256-257.) 7 AYES, 37 NAYS, MR. PRESIDENT. [LB47]

SENATOR COASH: MOTION TO RECONSIDER IS NOT ADOPTED. RAISE THE CALL. MR. CLERK. [LB47]

CLERK: MR. PRESIDENT, IF I MIGHT, SOME ITEMS BEFORE WE PROCEED. NEW BILLS. (READ LB923-926 BY TITLE FOR THE FIRST TIME.) IN ADDITION, MR.

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PRESIDENT, I HAVE HEARING NOTICES FROM THE TRANSPORTATION, REVENUE, AND THE JUDICIARY COMMITTEE. AND A PRIORITY RESOLUTION SELECTION: SENATOR EBKE HAS SELECTED LR35 AS HER PRIORITY ISSUE FOR THE SESSION. (LEGISLATIVE JOURNAL PAGES 257-259.) [LB923 LB924 LB925 LB926 LR35]

MR. PRESIDENT, RETURNING TO LB47. SENATOR WATERMEIER, I HAVE AM1832, BUT I WAS THINKING... YOU WANT TO WITHDRAW? YEAH. SENATOR WATERMEIER WISHES TO WITHDRAW. MR. PRESIDENT, SENATOR BLOOMFIELD WOULD MOVE TO AMEND WITH FA80. (LEGISLATIVE JOURNAL PAGE 259.) [LB47]

SENATOR COASH: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED TO OPEN ON FA80. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. THIS IS A VERY, VERY SIMPLE AMENDMENT. IT SIMPLY CHANGES THE AGE FROM 16 TO 21 THAT YOU ARE ALLOWED TO MAKE THAT DECISION. I BELIEVE IT'S ON LINE 31 OF PAGE 2 OF THE COMMITTEE AMENDMENT. I DON'T BELIEVE WE SHOULD HAVE A 16-YEAR-OLD KID STAND IN LINE ALL EXCITED ABOUT GETTING HIS DRIVER'S LICENSE AND ALL OF A SUDDEN HE HAS TO ANSWER THIS QUESTION. I BELIEVE THAT SHOULD BE TAKEN TO AGE 21--SIMPLE, STRAIGHTFORWARD, AND IN MY MIND COMMON SENSE. THANK YOU, COLLEAGUES. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: THANK YOU, SENATOR BLOOMFIELD. MEMBERS, YOU'VE HEARD THE OPENING TO FA80. THE FLOOR IS NOW OPEN FOR DISCUSSION. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, AND SENATOR BLOOMFIELD, I APOLOGIZE, BUT I WAS IN A DISCUSSION. COULD YOU SAY BRIEFLY WHAT YOUR AMENDMENT WOULD DO AGAIN? [LB47]

SENATOR COASH: SENATOR BLOOMFIELD, WILL YOU YIELD? [LB47]

SENATOR BLOOMFIELD: YES, I WILL. AND, YES, I WILL, SENATOR CHAMBERS. IT JUST TAKES THE AGE AT WHICH YOU ARE ABLE TO DECIDE THAT FOR YOURSELF FROM 16 UP TO 21. AS I SAID, I DON'T BELIEVE A 16-YEAR-OLD KID STANDING IN LINE ALL EXCITED ABOUT GETTING HIS DRIVER'S LICENSE SHOULD BE FORCED

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TO MAKE THAT DECISION. I BELIEVE THAT OUGHT TO BE AGE 21. BUT I STILL DON'T LIKE THE WAY THE QUESTION IS FORCED UPON US. BUT TO FORCE THAT UPON A 16-YEAR-OLD IS EVEN MORE ASININE THAN WHAT WE'RE DOING WITH THE REST OF THE BILL. [LB47]

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, I WILL SUPPORT SENATOR BLOOMFIELD'S AMENDMENT. IT WILL NOT MAKE THE BILL ITSELF ANY BETTER, BUT IT DEALS WITH A MUCH BROADER ISSUE. THERE ARE TIMES WHEN THE STATE OR SOME OTHER DESIGNATED ENTITY MAY BE IN THE STATUS OF WHAT IS CALLED IN LOCO PARENTIS: NOT A CRAZY PERSON, BUT STANDING IN THE PLACE OF A PERSON TO LOOK OUT FOR THE INTEREST OR WELFARE OF A CHILD WHO IS NOT OF SUFFICIENT AGE AND MATURITY TO TAKE CARE OF HIS OR HER BEST INTEREST. AND THIS IS ONE OF THOSE TIMES WHEN I THINK THE LEGISLATURE DEFINITELY HAS THE RESPONSIBILITY. ALTHOUGH WE CAN SEE THAT THESE UNETHICAL, AS I SEE THEM NOW, THESE UNETHICAL ORGAN HARVESTERS WANT TO BE ABLE TO GO AFTER THOSE WHO ARE YOUNG, WE KNOW THE YOUNG ARE IMPRESSIONABLE. WE KNOW THAT THEIR MINDS ARE MALLEABLE. THERE ARE CERTAIN MOVIE HOUSES THAT YOUNG PEOPLE CAN'T EVEN GO INTO. I DON'T KNOW IF SOMEBODY UNDER 21 CAN GO IN A CAT HOUSE, IF IT'S LEGAL. I DON'T KNOW THAT THEY CAN GO INTO A TAVERN AND PURCHASE LIQUOR OR EVEN BE THERE. BUT WHEN IT COMES TO TAKING ORGANS FROM THAT CHILD, THE LEGISLATURE DUMMIES UP AND YOU ARE IN THIS INSTANCE A LUNATIC, BUT NOT ONE THAT I'M LOOKING FOR. I WOULD LIKE TO RETURN YOU TO YOUR SENSES AND OVERCOME THAT LUNACY THAT SEEMS TO BE ABROAD IN THE LEGISLATURE TODAY. ANYBODY BELOW THE AGE OF 21 SHOULD NOT BE PUT IN A POSITION AS THE STATE IS TRYING TO DO NOW BECAUSE YOUNG PEOPLE CAN EASILY BE MANIPULATED, ESPECIALLY WHEN THE SYSTEM ACCORDING TO WHICH THEY'RE GOING TO BE EXPOSED TO THIS IS ONE BASED ON DECEPTION AND FALSEHOOD. AND YOU KNOW, PERSONALLY I DON'T CARE IF YOU VOTE AGAINST EVERYTHING I DO. IT'S JUST GOING TO GIVE ME SOMETHING TO RIDICULE YOU FOR THE REST OF THE SEASON, THE SESSION. AND IT SHOWS HOW CHILDISH AND JUVENILE YOU ARE. YOU THINK IF YOU VOTE LIKE A FOOL, IT DOES SOMETHING TO ME. I'M GOING TO KEEP DOING WHAT I THINK IS RIGHT. AND IT JUST PROVES WHAT I SAID ABOUT THE NUMBER OF FOOLS WHO ARE IN HERE. FOOL IS A NICE WORD. LIAR, DECEIVER, TRICKSTER ARE NOT NICE WORDS. BUT THOSE APPLY TO YOU. YOU ARE INTENTIONALLY AND KNOWINGLY DECEIVING AND MISLEADING THE PUBLIC. I SAID I WOULD REPEAT THIS OVER AND OVER AND OVER. [LB47]

SENATOR COASH: ONE MINUTE. [LB47]

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SENATOR CHAMBERS: WHEN YOU ARE INSTRUCTING PEOPLE WHO ARE EITHER INATTENTIVE OR SLOW FOR WHATEVER REASON, REPETITION IS WHAT YOU RESORT TO AND THAT'S WHAT I AM COMPELLED TO RESORT TO. BUT I'M GOING TO TAKE THE TIME THAT IS AVAILABLE TO CONTINUE HAMMERING AND HAMMERING AND HAMMERING. SENATOR KINTNER LIKES TO THREATEN PEOPLE, AND SENATOR GROENE, WITH, WHAT ARE YOU GONNA SAY TO THE VOTERS WHEN YOU GO OUT THERE? AND HERE IS SENATOR GROENE AFTER MAKING HIS WISE DETERMINATIONS AND DISCUSSIONS, VOTES FOR THE VERY CRAZINESS HE IS CONDEMNING. HE SAID, THIS IS CRAZY BUT I'M FOR IT. [LB47]

SENATOR COASH: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB47]

SENATOR CHAMBERS: SO THEY WON'T BE LOST IN THE SHUFFLE, I'M GOING TO VOTE FOR SENATOR BLOOMFIELD'S AMENDMENT, BUT EVEN IF IT'S ADOPTED I WILL VOTE AGAINST THE BILL. WHY WILL I VOTE FOR HIS AMENDMENT WHILE BEING AGAINST THE BILL? WHEN SOMETHING OF VALUE COMES ALONG, I WILL NOT BE DETERRED FROM VOTING FOR IT AND SUPPORTING IT BECAUSE THERE IS SOMETHING ATTACHED TO IT THAT IS NOT GOOD. NOW, IF I WANT TO MAKE SOMETHING OUT OF HORSE HAIR OR DONKEY HAIR, YOU THINK I'M GOING TO REJECT THE HAIR ON THE TAIL OF A DONKEY BECAUSE THERE IS AN ASS ATTACHED TO IT? NO. THERE IS SOMETHING ELSE I WANT, NOT THE DONKEY. SO SENATOR BLOOMFIELD IS ATTACHING HIS AMENDMENT TO A DONKEY AND I THINK WHAT HE IS ATTACHING HAS MERIT. BUT ALL THIS OTHER NONSENSE AND CRAZINESS IS JUST WHAT I'M CALLING IT. WHAT I WOULD LIKE TO SEE IS ALL THESE PEOPLE LIKE SENATOR KINTNER AND MY GOOD FRIEND SENATOR KOLOWSKI GO OUT AMONG THE PEOPLE WHO THEY SENT DOWN...WHO SENT THEM HERE AND EXPLAIN HOW THEY ARE PARTICIPATING IN TRICKING THOSE VERY PEOPLE. BUT YOU KNOW WHAT? I BET NOT ONE OF THEM WOULD BE HONEST ENOUGH TO SAY THAT THIS IS DESIGNED TO TRICK YOU, BECAUSE AS TRICKSTERS THEY HAVE TO TRICK PEOPLE. AND IF A TRICKSTER ADMITS HE OR SHE IS A TRICKSTER, THE GAME IS OVER. IF I'M SITTING DOWN AT A CARD TABLE AND I'M NOT DOING IT AS A MAGICIAN AND I DO LIKE THAT AND AN ACE APPEARS IN THIS HAND, DO LIKE THAT AND AN ACE APPEARS IN THAT HAND, DO LIKE THAT AND AN ACE COMES OUT OF THAT SHOE, DO LIKE THAT, AN ACE COMES OUT OF THAT SHOE, SHAKE MY HEAD AND PULL TWO ACES OUT OF THE



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BACK OF MY SHIRT, THAT'S SIX ACES. I SAY, OH, BUT THAT'S NOT ALL. I SHAKE MY HEAD AND PULL OUT TWO MORE, EIGHT ACES, AND THERE ARE SUPPOSED TO ONLY BE FOUR IN THE DECK. YOU THINK I'M GOING TO DO THAT IF I'M A CARD SHARK? SOME PEOPLE SAY CARD SHARP, WITH A "P"; SOME, CARD SHARK, WITH A "K." BUT IN EITHER CASE IT'S SOMEBODY WHO CHEATS AND DOES IT SO EXPERTLY THAT PEOPLE DON'T EVEN CATCH ON. SO I JUST HAPPENED TO SEE SENATOR McCOLLISTER WALKING IN. AND HE LOOKED WHEN HE FIRST CAME IN LIKE A DECENT CHAP, AN UPSTANDING AMERICAN MAN WHO BELIEVES IN THE CONSTITUTION. NOW HE IS RECEDING. HE IS GETTING FARTHER AND FARTHER AWAY AND HE SEEMS TO BE LESS OF A GOOD MAN, LESS OF AN UPSTANDING AMERICAN, LESS OF A BELIEVER IN THE CONSTITUTION. I GUESS YOU CAN'T RELY ON ANYBODY EXCEPT YOURSELF. THAT'S WHY YOU NEED TO PAY ATTENTION TO THAT SONG BY RICKY NELSON WHICH I'M NOT GOING TO SING: YOU CAN'T PLEASE EVERYONE, SO YOU GOT TO PLEASE YOURSELF. BUT YOU ALL ARE NOT PLEASING YOURSELVES. YOU'RE SELLING YOUR SOUL IF THAT'S WHAT YOU'VE GOT. YOU'RE SELLING YOUR INTEGRITY FOR SOMETHING, I DON'T KNOW WHAT IT IS. BUT SEE, WHEN YOU SELL WHAT YOU ARE AND WHAT YOU SOLD YOURSELF FOR TURNS OUT TO BE SO MUCH DUST AND ASHES, THEN YOU'VE LOST EVERYTHING, INCLUDING YOUR SELF-RESPECT. BUT IF YOU STAND FOR WHAT YOU BELIEVE AND IT DOESN'T TURN OUT RIGHT, YOU STILL RETAIN YOUR SELF-RESPECT. AND THAT'S WHAT I INTEND TO DO. I WILL BE THE VOICE OF SANITY IN THE INSANE ASYLUM. AND WE HAVE TO KEEP PUSHING... [LB47]

SENATOR COASH: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...UNTIL WE REACH THE POINT THAT SENATORS RECOVER THEIR EQUILIBRIUM, REMEMBER THE OATH THAT THEY TOOK, AND TRY TO FIND A WAY TO PERSUADE THEM TO DO WHAT THEY SAID THEY WOULD DO. THEY DIDN'T SWEAR, AS FAR AS I KNOW, TO COME DOWN HERE AND FOOL THE PUBLIC AND TRICK THE PUBLIC. IF THE PUBLIC KNEW WHO THEIR SENATOR IS AND IF THEY RECOGNIZED THESE SENATORS...AND I THINK THEIR FACES OUGHT TO BE POSTED IN EVERY RETAIL ESTABLISHMENT IN NEBRASKA SO PEOPLE WILL KNOW THAT THIS IS A POTENTIAL THIEF WALKING IN YOUR MIDST, THIS IS A PERSON WHO IS AS LIKELY TO LIE AS TO SCRATCH HIS ARM IF HE GETS BITTEN BY A MOSQUITO, HE OR SHE. AND THAT IS THE WAY SENATORS,... [LB47]

SENATOR COASH: TIME, SENATOR. [LB47]

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SENATOR CHAMBERS: ...MEMBERS OF THIS LEGISLATURE SHOULD BE TREATED.  
THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: SENATOR CHAMBERS, YOU MAY CONTINUE. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THE REASON I SUPPORT SENATOR BLOOMFIELD'S AMENDMENT IS BECAUSE I BELIEVE THAT THESE ORGAN HUSTLERS ARE MAYBE ONE STEP ABOVE THE GRAVEROBBER, THE CORPSE STEALERS. THEY WILL DO ANYTHING--I MEAN ANYTHING--TO HARVEST ORGANS. THEY WILL LIE. THEY WILL CHEAT. THEY WILL TRICK THE PUBLIC. AND BY THE WAY--SENATOR WATERMEIER DIDN'T MENTION THIS--THERE IS A LOT OF MONEY IN THE TRADE OF ORGANS, IN MOVING THEM FROM PLACE TO PLACE AND DETERMINING WHO WILL GET THEM AND WHO WON'T. BUT THAT IS NEVER MENTIONED. SO WITH THESE KIND OF SHADY PEOPLE RUNNING THIS WHOLE ENTERPRISE, THE LEGISLATURE HAS AN OBLIGATION TO PROTECT THE YOUNG PEOPLE. AND IF YOU SAY THE LEGISLATURE SHOULDN'T DO THAT, THEN WE SHOULD GET RID OF ALL CONSUMER PROTECTION LEGISLATION. THERE SHOULD BE NOTHING THAT WOULD PROHIBIT FALSE ADVERTISING. IT SHOULD NOT BE A PUNISHABLE MATTER FOR MANUFACTURERS AND SELLERS TO PUT OUT WHAT'S CALLED A GUARANTEE, WHICH IS NOT GOING TO BE HONORED. LET THE BUYER BEWARE. BUT THAT'S NOT THE CASE. IF YOU PURCHASE SOMETHING AND THERE IS A GUARANTEE AND THE ONE WHO PUT UP THAT GUARANTEE VIOLATES IT, YOU CAN TAKE THE PERSON TO COURT. THERE IS REDRESS. SO THERE ARE STEPS TAKEN BY LEGISLATURES ALL OVER THE COUNTRY TO PROTECT NOT JUST CHILDREN, BUT GROWN PEOPLE. THEY HAVE SPECIAL LEGISLATION TO PROTECT OLD PEOPLE SO THAT THERE WILL NOT BE ELDER ABUSE. BUT WHEN IT COMES TO RETRIEVING OR HARVESTING ORGANS, ALL OF THAT GOES OUT THE WINDOW. THE CHILDREN, THE YOUNG PEOPLE ARE NOT ENTITLED TO PROTECTION. IF SOMEBODY BELOW THE LEGAL AGE SIGNS A CONTRACT, IT IS NOT ENFORCEABLE AGAINST THAT PERSON. THE CONTRACT IS VOID, NOT VOIDABLE BUT WHAT THE LAW CALLS VOID AB INITIO: VOID FROM THE BEGINNING. IT NEVER HAD IMPACT. IT NEVER HAD ANY BINDING POWER ON THE YOUNGSTER WHO SIGNED IT. BUT IF YOU CAN TRICK SOMEBODY WHO IS YOUNG INTO THINKING THAT IF HE OR SHE SIGNED A CERTAIN PIECE OF PAPER HE OR SHE IS BOUND BY IT, THAT TRICKSTER WILL BE ABLE TO EXTORT FROM THAT YOUNG PERSON UNTIL THE YOUNG PERSON EITHER RUNS OUT OF RESOURCES OR SOMEBODY MAKES HIM OR HER AWARE THAT YOU DON'T HAVE TO DO THAT. WHEN IT COMES TO YOUR ORGANS, THE LEGISLATURE IS WILLING TO DO ANY AND EVERYTHING TO TRICK PEOPLE INTO A SET OF CIRCUMSTANCES WHERE

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THEY WILL GO ALONG WITH THEIR ORGANS BEING TAKEN. AND THE LEGISLATURE NOW BECOMES THE EXPLOITER, THE TRICKSTER, THE DECEIVER, THE MISLEADER, THE BAMBOOZLER. AND YET, ON OTHER OCCASIONS THEY'RE GONNA TRY TO BE SOMETHING ELSE. I WONDER IF ANYBODY IS GOING TO HAVE THE NERVE TO SAY A PRAYER IN THIS SYNAGOGUE OF SATAN TOMORROW OR TEMPLE OF THE DEVIL TOMORROW OR CHURCH OF THE DECEIVER TOMORROW. I DON'T WANT ANY OF THESE RELIGIONS TO THINK THAT I'M MAKING ANY ONE OF THEM WORSE THAN THE OTHER. THEY'RE ALL ABOUT THE SAME TO ME BECAUSE THERE ARE PEOPLE WHO BELONG TO ALL OF THEM WHO ARE TRICKSTERS, DECEIVERS. BUT I DIDN'T THINK YOU'D COLLECT THIS MANY OF THEM... [LB47]

SENATOR COASH: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...IN ONE PLACE. WHEN I CAME TO THIS LEGISLATURE, YOU COULD NOT HAVE PERSUADED ME THAT, AS MUCH SKEPTICISM I HAD ABOUT THE PEOPLE IN THE LEGISLATURE, THAT THEY WOULD INTENTIONALLY PASS A LAW TO TRICK AND DECEIVE THE PUBLIC. SO YOU SEE HOW NAIVE AND MISTAKEN I WAS. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR WATERMEIER, YOU ARE RECOGNIZED. [LB47]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. I WANTED TO JUST STAND AND SPEAK TO THE FLOOR AMENDMENT FROM SENATOR BLOOMFIELD. I GUESS I'M GOING TO STAND IN OPPOSITION TO IT. I WASN'T EXACTLY SURE WHAT HE WAS TALKING ABOUT, RAISING THE AGE TO 21. MY BILL, LB47, JUST STRICTLY USED THE ANATOMICAL LANGUAGE THAT WE HAD PASSED IN NEBRASKA YEARS AGO. AND THAT COMES BACK TO, WHAT, 16 YEARS OF AGE. AND AS AN EXAMPLE, THE 33 OTHER STATES THAT HAD THIS IN LAW, I THINK THERE IS 5 OF THEM THAT HAVE AGE OLDER THAN 16 AND THE HIGHEST ONE WAS 17 OR 18. BUT THERE ARE STATES THAT HAVE NO MINIMUM, NO MINIMUM AGE ON ANATOMICAL GIFTS. THE PARENTS CAN MAKE THAT DECISION ON A NEWBORN AND THERE'S STATES THAT HAVE THAT. SO I'M GOING TO STAND OPPOSED TO FA80. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: THANK YOU, SENATOR WATERMEIER. SENATOR BLOOMFIELD, THERE ARE NO OTHER LIGHTS IN THE QUEUE OTHER THAN YOURS. WOULD YOU LIKE TO USE YOUR OPPORTUNITY TO CLOSE? [LB47]

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SENATOR BLOOMFIELD: THAT WOULD BE FINE. COLLEAGUES, IN ANSWER TO SENATOR WATERMEIER, MY AMENDMENT IS TO THE COMMITTEE AMENDMENT WHICH INCLUDES THAT AGE OF 16. NEBRASKA ACTUALLY HAS THE LAW WHERE YOU CAN GO BACK TO BIRTH. BUT THE PARENTS MAKE THAT DECISION AND THAT'S WHERE I BELIEVE WE SHOULD BE HERE. THERE IS NOTHING IN MY AMENDMENT THAT STOPS THE HARVESTING OF THE ORGANS. BUT I STILL DO NOT BELIEVE THAT A 16-YEAR-OLD STANDING IN LINE ALL EXCITED ABOUT GETTING HIS DRIVER'S LICENSE SHOULD AT THAT MOMENT HAVE TO MAKE THAT DECISION. THAT IS SOMETHING FOR THE PARENT TO DO. SO I ASK FOR YOUR SUPPORT ON FA80. I BELIEVE IT'S JUST GOOD COMMONSENSE LEGISLATION, DOESN'T NECESSARILY MAKE THE BILL ANY BETTER, CERTAINLY DOESN'T MAKE IT ANY WORSE, JUST SEEMS REASONABLE. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: THANK YOU, SENATOR BLOOMFIELD. MEMBERS, YOU'VE HEARD THE CLOSING ON FA80. THE QUESTION IS, SHALL FA80 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. SENATOR BLOOMFIELD. [LB47]

SENATOR BLOOMFIELD: COULD I HAVE A CALL OF THE HOUSE? [LB47]

SENATOR COASH: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. [LB47]

SENATOR BLOOMFIELD: (MICROPHONE MALFUNCTION)...CALL VOTE. [LB47]

SENATOR COASH: RECORD, MR. CLERK. [LB47]

CLERK: 27 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB47]

SENATOR COASH: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN AND RECORD YOUR PRESENCE. UNEXCUSED PERSONNEL...UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR GARRETT, PLEASE RETURN TO THE FLOOR AND RECORD YOUR PRESENCE. SENATOR BOLZ, PLEASE RETURN TO THE FLOOR AND RECORD YOUR PRESENCE. SENATORS BOLZ AND GARRETT, PLEASE RETURN TO THE CHAMBER AND

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RECORD YOUR PRESENCE. SENATOR GARRETT, PLEASE RETURN TO THE FLOOR AND RECORD YOUR PRESENCE. THE QUESTION FOR THE BODY IS, SHALL FA80 BE ADOPTED? THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE. MR. CLERK, PLEASE READ THE ROLL. [LB47]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 259-260.) 18 AYES, 19 NAYS, MR. PRESIDENT, ON THE AMENDMENT TO THE COMMITTEE AMENDMENTS. [LB47]

SENATOR COASH: FA80 IS NOT ADOPTED. RAISE THE CALL. NEXT ITEM, MR. CLERK. [LB47]

CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO RECOMMIT LB47 TO THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE. [LB47]

SENATOR COASH: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION TO RECOMMIT. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, THIS MOTION IS DESIGNED NOT ONLY TO CONSUME TIME, BUT TO GIVE ME A CHANCE TO EXPATiate FREELY O'ER ALL THIS SCENE OF NONSENSE. THAT COMMITTEE'S NAME SHOULD BE CHANGED FROM...IT CAN REMAIN TRANSPORTATION, BUT NOT TELECOMMUNICATION, "TELEFALSEHOOD." THIS BILL BY ANY WAY YOU SLICE IT IS A FALSEHOOD. AND I HAD STATED I'LL REPEAT IT AND I SHALL CONTINUE AND CONTINUE AND CONTINUE. THE AMENDMENT THAT YOU GAVE TO SENATOR WATERMAN (SIC), BECAUSE YOU WANTED TO HELP HIM OUT OF THE HOLE HE DUG FOR HIMSELF AT THE BEHEST OF SOME PRIVATE OPERATION OUT THERE, THIS QUESTION THAT WE'RE DISCUSSING WILL BE ON THE APPLICATION UNDER THE STATUS OF THAT WHICH IS MANDATORY TO BE ANSWERED. THERE IS NOTHING THAT NOTIFIES THE SIGNER THAT HE OR SHE DOESN'T HAVE TO SIGN IT...I MEAN DOESN'T HAVE TO CHECK THAT ANSWER AND, READING THE APPLICATION, TAKES AN OATH THAT EVERYTHING SAID IS TRUE. AND IF YOU KNOWINGLY PUT SOMETHING THAT'S NOT TRUE, YOU RENDER YOURSELF GUILTY OF PERJURY. SO IF THIS IS A PERSON WHO IS NOT GOING TO BE INTIMIDATED BY THOSE VEILED THREATS, HE OR SHE IS NOT GOING TO RESPOND TO THAT QUESTION AND WILL BE LEFT WITH THE IMPRESSION THAT THE DRIVER'S LICENSE IS GOING TO BE DENIED, THE APPLICATION REJECTED, OR WHATEVER METHODOLOGY IS USED TO LET YOU KNOW THAT YOU'VE PUT

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YOURSELF IN A POSITION WHERE YOU'RE NOT GOING TO BE ABLE TO OBTAIN A LICENSE TO DRIVE YOUR CAR ON THE STREETS AND HIGHWAYS WITHOUT BEING IN VIOLATION OF THE LAW. WE'RE TALKING ABOUT TRAFFIC, DRIVING, USING A MOTOR VEHICLE TO GET FROM ONE POINT TO ANOTHER. THAT LAW, THAT BODY OF LAW IS NOT DEALING WITH ORGAN DONATION. IT IS NOT SAYING ORGAN DONATION IS DESIRABLE, THAT IT'S GOOD, THAT IT'S BAD, THAT IT'S UNDESIRABLE. IT IS NOT EVEN APPROPRIATE FOR AN OPINION ABOUT THAT TO BE EXPRESSED ON SOMETHING LIKE AN APPLICATION FOR A DRIVER'S LICENSE. SO THE WHOLE BASIS FOR THIS LAW, THIS PURPORTED LAW, THIS LAW THAT YOU HOPE WILL WIND UP ON THE BOOKS--IT'S JUST A BILL RIGHT NOW--IS TO, AS SENATOR SCHUMACHER CONTINUES TO POINT OUT, HARVEST MORE ORGANS. THAT'S THE ONLY REASON FOR IT. AND WHEREAS I USED TO HAVE SOME REGARD FOR THOSE ENTITIES, I HAVE NONE WHATSOEVER. AND MY VIEW WILL NOT MAKE ANY DIFFERENCE. I'M ONE PERSON. BUT PEOPLE WATCHING WHAT WE'RE TALKING ABOUT MAY DEVELOP A SIMILAR OPINION WHEN THEY REALIZE THAT THIS LEGISLATURE HAS BEEN PERVERTED. BUT NOBODY MADE THE SENATORS VOTE IN A FOOLISH, DECEPTIVE WAY. THEY CHOSE TO DO IT FOR WHATEVER REASON. IF SOMEBODY'S PRINCIPLES CAUSE HIM OR HER TO BELIEVE THAT MISLEADING, DECEIVING, DISINGENUOUSNESS, FALSITY ARE GOOD, THEN I SUPPOSE NOT ONLY MIGHT IT BE APPROPRIATE FOR THEM TO BEHAVE ACCORDING TO THOSE PRINCIPLES, THERE MAY BE A MORAL IMPERATIVE THAT THEY DO SO. IF THEY HAVE A FLAWED CONSCIENCE, THAT IS THE ONLY COMPASS THAT THEY HAVE, THE ONLY GUIDE AVAILABLE TO THEM AND THEY CANNOT GO BEYOND WHAT THEY KNOW. WATER CANNOT RISE ABOVE ITS LEVEL. BUT HERE IS WHAT TAKES AWAY THE EXCUSE FOR ALL THESE PEOPLE IN HERE WHOM I HAVE HEARD MAKE LOFTY STATEMENTS ON ISSUES. THEY HAVE SHOWN THAT THEY KNOW BETTER, BUT THEY ALSO SHOW THAT THEY ARE MORALLY WEAK, MORALLY DEFECTIVE. IF SENATOR KINTNER IS HERE, I'D LIKE TO ASK HIM A QUESTION. [LB47]

SENATOR COASH: SENATOR KINTNER, WILL YOU YIELD? [LB47]

SENATOR KINTNER: YEAH. [LB47]

SENATOR CHAMBERS: SENATOR KINTNER, THESE WILL JUST BE VERY DIRECT QUESTIONS. [LB47]

SENATOR KINTNER: OKAY. [LB47]

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SENATOR CHAMBERS: THE WAY THIS BILL READS NOW, WITH SENATOR WATERMEIER'S AMENDMENT, IS THAT THEY PUT IN UNDER THE TITLE OF MANDATORY THIS QUESTION--DO YOU WANT TO BE ON THIS DONOR LIST? YES, NO, DECLINES TO ANSWER--THAT IT'S MANDATORY, AND THEN AT THE BOTTOM: YOU MUST ANSWER THESE QUESTIONS HONESTLY, AND SO FORTH, AND THE FAILURE TO ANSWER THEM WILL MEAN YOU CAN'T GET A DRIVER'S LICENSE. THAT'S WHAT THE PERSON IS PRESENTED WITH. BUT IF THE PERSON DOES NOT ANSWER THAT QUESTION, THESE PEOPLE WHO WORK IN MOTOR VEHICLES CAN GIVE THEM A LICENSE EVEN THOUGH THE STATEMENT SAYS IF YOU FAIL TO ANSWER YOU WILL NOT GET THE LICENSE. IS THAT WHAT YOU AS A CONSERVATIVE BELIEVE THE GOVERNMENT MAY LEGITIMATELY DO WHEN IT'S INFORMING THE PUBLIC OF THE STEPS NECESSARY TO GET A DRIVER'S LICENSE? [LB47]

SENATOR KINTNER: I THINK IT GETS THE JOB DONE. IF THEY DON'T ANSWER IT, THEY JUST PUT "REFUSE TO ANSWER" AND THEY MOVE ON, THEY GET THEIR LICENSE. IF IT'S NOT WORDED RIGHT, IT GETS THE JOB DONE. [LB47]

SENATOR CHAMBERS: NO, BUT THE CLERK WILL SEND THEM THE LICENSE ANYWAY. [LB47]

SENATOR KINTNER: YES. [LB47]

SENATOR CHAMBERS: IF THEY'RE GOING TO GET THE LICENSE ANYWAY, SHOULD THEY BE MISLED INTO THINKING THAT THEY WON'T GET IT IF THEY DON'T ANSWER THIS QUESTION? SHOULD THEY BE MISLED? BECAUSE THEY ARE MISLED. THE APPLICATION SAYS YOU WILL NOT GET YOUR LICENSE, BUT THEY'RE GOING TO GET IT ANYWAY. SO THEY'RE MISLED ABOUT THAT TO TRY TO COMPEL THEM TO ANSWER A QUESTION. YOU AS A CONSERVATIVE THINK THAT'S THE WAY THE GOVERNMENT OUGHT TO OPERATE? JUST YES OR NO, AND I'M NOT EVEN GOING TO ARGUE WITH YOU. [LB47]

SENATOR KINTNER: NO. [LB47]

SENATOR CHAMBERS: OKAY, I'M WITH YOU. THANK YOU. MEMBERS OF THE LEGISLATURE, HERE'S WHAT I GENUINELY BELIEVE ABOUT SOME OF THE PEOPLE WHO HAVEN'T BEEN ON THE FLOOR. THEY'RE UNAWARE OF THE STATUS OF THIS BILL. THEY'RE NOT AWARE OF THE CHICANERY THAT HAS BEEN GOING ON, ON THE FLOOR, BY THOSE WHO HAVE BEEN ON THE FLOOR. BUT THEY'RE

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GOING TO BE HELD ACCOUNTABLE FOR THE KNOWLEDGE THAT ONE SHOULD HAVE WHEN ONE CASTS THESE VOTES. AND WITH ALL THESE CONSERVATIVES WHO HAVE OPINIONS ABOUT EVERYTHING--AND THEY'RE USUALLY WHAT I WOULD CONSIDER NARROW-MINDED, BUT THAT'S MY VIEW--THEY ARE THE ONES WHO ARE SUPPORTING THE GOVERNMENT DECEIVING THE PUBLIC. THESE SO-CALLED CONSERVATIVES BELIEVE THAT THE PUBLIC SHOULD BE DECEIVED. I THINK THAT DONALD TRUMP PICKED UP ON THIS RIGHT AWAY AND ADOPTED THE NOTION THAT HITLER PUT OUT THERE: THAT THE PUBLIC WILL BELIEVE A BIG LIE QUICKER THAN THEY WILL A LITTLE ONE. SO HE TELLS LIES. AND PEOPLE ACCEPT THEM. BUT I WOULDN'T EXPECT THIS LEGISLATURE TO DO THE SAME THING. REMEMBER, YOU ARE TELLING THESE PEOPLE, IF YOU DON'T ANSWER THIS QUESTION, YOU GET NO LICENSE. [LB47]

SENATOR COASH: ONE MINUTE. [LB47]

SENATOR CHAMBERS: BUT YOU ARE GOING TO GET ONE ANYWAY. YOU TRICK THEM INTO THINKING THAT THEY WON'T GET A LICENSE AND YOU DO IT IN ORDER TO COERCE THEM TO SIGN SOMETHING THAT THE LAW DOES NOT REQUIRE THEM TO SIGN. SO WHY WOULD WE AS A LEGISLATURE ALLOW THIS LIE TO BE PUT ON AN OFFICIAL DOCUMENT THAT YOU MUST DO THIS OR ELSE, WHEN THE LEGISLATURE DOES NOT INTEND THAT "OR ELSE" TO EVER COME INTO PLAY? THAT IS WHAT I MEAN WHEN I SAY IT'S A DELIBERATE LIE. YOU KNOW THAT THAT STATEMENT THAT THEY WON'T GET THE LICENSE...SENATOR JOHNSON KNOWS THAT. HE'D LIE TO HIS GRANDCHILDREN IF HE TOLD THEM, YOU'D BETTER DO THIS BECAUSE THE LAW SAYS IT, WHEN HE KNOWS THAT THAT'S NOT WHAT THE LAW SAYS. BUT THAT'S WHAT HE'S DOING WHEN HE VOTES FOR THIS, BUT NOT JUST HIS GRANDCHILD, TO EVERYBODY WHO WOULD COME FOR THAT APPLICATION. IT IS INEXCUSABLE. IT IS IMMORAL. [LB47]

SENATOR COASH: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: I'VE (MICROPHONE MALFUNCTION)...WAS THAT MY OPENING? [LB47]

SENATOR COASH: THAT WAS YOUR OPENING. [LB47]

SENATOR CHAMBERS: AND IT WAS TEN MINUTES I SPOKE? WOW, TIME FLIES. THANK YOU, MR. PRESIDENT. [LB47]



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SENATOR COASH: THANK YOU, SENATOR CHAMBERS. MEMBERS, YOU'VE HEARD THE OPENING TO THE MOTION TO RECOMMIT. THE FLOOR IS NOW OPEN FOR DISCUSSION. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I SUPPORT THE MOTION TO RECOMMIT. BUT I WOULD ALSO, MR. PRESIDENT, LIKE TO ADDRESS A COUPLE STATEMENTS SENATOR CHAMBERS MADE. HE MAY WISH TO PARTAKE IN THE DIALOGUE, SO WOULD YOU ASK HIM TO YIELD? [LB47]

SENATOR COASH: SENATOR CHAMBERS, WILL YOU YIELD? [LB47]

SENATOR CHAMBERS: YES. [LB47]

SENATOR BLOOMFIELD: SENATOR CHAMBERS, EARLIER ON YOU MADE A COUPLE STATEMENTS THAT I WISH TO ADDRESS. ONE OF THEM WAS WHEN YOU WERE TALKING ABOUT THE NUMBER OF ACES YOU WERE PULLING OUT. [LB47]

SENATOR CHAMBERS: YES. [LB47]

SENATOR BLOOMFIELD: IF YOU HAPPENED TO BE PLAYING PINOCHLE, SENATOR, THERE ARE EIGHT ACES IN THE DECK. [LB47]

SENATOR CHAMBERS: WELL, I DON'T KNOW ANYTHING ABOUT THESE SPECIFIC CARD GAMES. [LB47]

SENATOR BLOOMFIELD: SO IT WOULD BE PERFECTLY LEGITIMATE TO HAVE EIGHT ACES. SECONDLY, YOU QUESTIONED WHETHER OR NOT THERE WOULD BE A PRAYER TOMORROW MORNING. IF GOD ALLOWS ME TO WALK INTO THIS CHAMBER, THERE WILL BE A PRAYER TOMORROW MORNING. I WILL BE UP THERE. [LB47]

SENATOR CHAMBERS: WELL, NOW THAT YOU WAS LIKE THAT, I MAY NOT ALLOW YOU TO WALK IN HERE TOMORROW THEN. [LB47]

SENATOR BLOOMFIELD: (LAUGH) AND, MR. PRESIDENT, I'D LIKE TO YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. [LB47]

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SENATOR COASH: SENATOR CHAMBERS, 3:45, AND YOU'RE NEXT IN THE QUEUE.  
[LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. AND MY FIRST WORD TO YOU WILL BE "TOUCHE." MEMBERS OF THE LEGISLATURE, I MUST DO EXACTLY AS I'M DOING BECAUSE I TAKE VERY SERIOUSLY THE WORK THAT I DO IN THIS LEGISLATURE. EVEN THOUGH I SPEND A LOT OF TIME HERE--WHEN WE'RE NOT IN SESSION AS A LEGISLATURE I'M DOWN HERE EVERY DAY, NOT SATURDAYS AND SUNDAYS, SOMETIMES ON THE WEEKEND, SOMETIMES ON HOLIDAYS--BUT REALLY THE LEGISLATURE IS NEITHER MY WIFE NOR MY LIFE. I DO WHAT I DO BECAUSE I THINK IT'S RIGHT. I'VE TOLD THIS EXAMPLE BEFORE BUT I'M GOING TO SAY IT NOW AGAIN IN THIS CONTEXT BECAUSE, AGAIN, I'M PASSING TIME. I'VE GIVEN ASSISTANCE TO PEOPLE AND THEY WANT TO PAY ME AND I WILL NOT ACCEPT ANYTHING. AND THEY SAY, YOU HELPED ME IN A SITUATION WHERE THE LAWYER TOOK MY MONEY AND DIDN'T HELP ME. AND I TELL THEM, I'M NOT PRACTICING LAW, I CAN'T PRACTICE LAW, I WILL NOT ACCEPT ANYTHING FROM YOU, AND BESIDES THAT, I'M PAID FOR WHAT I DO. BUT THE PAY IS VERY, VERY SMALL. BUT DESPITE BEING NOT PAID WELL, I AM PAID. SO, MONEY IS NOT THE DRIVING FORCE FOR ME BEING HERE. I'M NOT SEEKING AN ADDITIONAL OR WHAT WOULD BE CALLED A HIGHER OFFICE. THE ONLY REASON I'M HERE IS BECAUSE I SEE IT AS A MEANS BY WHICH I PERHAPS CAN DO THINGS THROUGH THIS INSTRUMENTALITY OF THE LEGISLATURE WHICH I COULD NOT DO IF I WERE NOT HERE. NOBODY PUT A GUN TO MY HEAD AND TOLD ME I'D BETTER GO TO THE LEGISLATURE AND DO WHAT IT IS I TRY TO DO. NOBODY NEEDS TO THANK ME FOR ANYTHING THAT I DO. WHATEVER I DO IS A PART OF THE JOB THAT I VOLUNTARILY AGREED TO BE EMPLOYED TO DO. AND THAT'S WHY WHEN THESE PEOPLE WHO ARE PAID GOOD SALARIES TO DO THINGS, THEY'RE CALLED HEROES WHEN THEY JUST DO THEIR JOB. THEY'RE CALLED HEROES WHEN THEY DO WHAT THEY'RE PAID TO DO. THEY HOLD THAT JOB NOT BECAUSE ANYBODY MADE THEM; THEY WANTED THE JOB AND THEY GET PAID FOR IT. SO THEY'RE NOT HEROES. THEY'RE GOOD EMPLOYEES, GOOD WORKMEN, GOOD WORK WOMEN, BUT THEY'RE NOT HEROES. SO WHEN I DO ANYTHING, THERE'S NO NOBILITY ATTACHED TO IT, THERE IS NO ALTRUISM ATTACHED TO IT, NONE OF THAT. I'M JUST A WORKMAN TRYING TO DO THE JOB THAT I AGREED TO DO THE BEST THAT I CAN WITH WHAT I HAVE TO WORK WITH FOR AS LONG AS I CAN. THAT'S WHAT IT IS. THE GREATEST REWARD THAT I GET IS WHEN PEOPLE BRING THEIR LITTLE CHILDREN TO MY OFFICE. THERE'S SOMETHING ABOUT LITTLE CHILDREN WHICH MIGHT MAKE YOU THINK BACK TO A TIME WHEN YOU YOURSELF WERE MORE PURE, LESS TAINTED, VERY TRUSTING, NAIVE, AND

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BELIEVING THAT THE WORLD IS A GOOD PLACE, NOT JUST THAT YOU COULD TRY TO MAKE IT A GOOD PLACE--YOU DON'T THINK IN THOSE TERMS WHEN YOU'RE LITTLE--BUT THAT IT'S A GOOD PLACE. YOU HAVE SOMETHING TO EAT. YOU HAVE PEOPLE WHO CARE ABOUT YOU. THEY GIVE YOU A PLACE TO SLEEP. WHEN IT'S REAL COLD OUTSIDE AND THE WIND IS WHISTLING, YOU'RE IN A NICE WARM HOUSE, HAVE A NICE WARM BED. IT'S A NICE WORLD, A NICE PLACE TO BE, BECAUSE YOU'RE YOUNG AND YOU DON'T KNOW ANY BETTER. BUT AS YOU GROW OLDER, THAT TYPE OF NAIVETE IS SLICED AWAY--THIN STRIPS, STRIP BY STRIP. THE IDEALISM THAT YOU HELD, NOT BECAUSE YOU THOUGHT YOUR WAY TO IT, REASONED YOUR WAY TO IT AND DECIDED THIS IS THE WAY YOU WANT TO GO, BUT IT WAS JUST KIND OF INFUSED, AND THAT IS SQUEEZED OUT DROP BY DROP. AND THEN YOU REACH THE POINT WHERE YOU'RE ON THE OTHER SIDE OF THE HILL AND YOU'RE GOING DOWN. AND YOU KNOW THAT THE END IS CLOSER THAN IT WAS WHEN YOU STARTED, OBVIOUSLY. THERE CAN BE A BITTERNESS. THERE CAN BE A SENSE OF DISAPPOINTMENT, OF FRUSTRATION, OF FUTILITY IF YOU ALLOW THAT TO HAPPEN. BUT IF YOU BELIEVE IN YOURSELF AND YOU TRUST YOURSELF AND YOU LOVE YOURSELF, THERE IS NOTHING INSURMOUNTABLE, THERE IS NOTHING UNBEARABLE, THERE IS NEVER IN YOU EVEN AN INCLINATION TO SEEK PERMISSION FROM ANOTHER HUMAN BEING TO DO WHAT YOU THINK YOU OUGHT TO DO, TO REQUIRE THE APPROVAL OF ANOTHER HUMAN BEING TO FEEL THAT YOU'RE WORTH SOMETHING. I DON'T NEED ANYBODY'S APPROVAL. I DON'T WANT ANYBODY'S THANKS. I JUST WANT PEOPLE TO NOT BE IN MY WAY IF I'M TRYING TO GET SOMETHING DONE. AND IT'S AS SIMPLE AS THAT. THAT'S THE WAY I MAKE IT: A DAY AT A TIME, A TASK AT A TIME, A STEP AT A TIME. ANYBODY CAN STAND ANYTHING FOR AN INSTANT. YOU ONLY LIVE IN THIS INSTANT. YOUR LIFE COMPRISES AN INFINITE--ALMOST--AN INFINITE SERIES OF INSTANCES INDIVIDUALLY STRUNG TOGETHER. WHEN THEY USED TO MAKE MOVIES WITH FILM, THEY HAD ALL OF THESE INDIVIDUAL FRAMES. THEY HAD THOSE THAT HADN'T BEEN SHOWN YET ON ONE REEL, AN EMPTY REEL THAT WOULD WIND UP AS THESE FRAMES WENT PAST THIS LIGHT. AND THEY WENT PAST SO FAST THAT IT GAVE THE ILLUSION OF MOTION. NOT ONE OF THOSE FRAMES HAD AN IMAGE THAT WOULD MOVE IF YOU LOOKED AT IT. BUT WHEN YOU HAD THEM MOVING VERY RAPIDLY IN SUCCESSION, IT CREATED AN ILLUSION, THE APPEARANCE OF MOTION. PHILOSOPHERS SAY THAT IN THIS WORLD THERE REALLY IS NO MOTION. MOTION DOES NOT EXIST. IT IS AN ILLUSION. THAT'S WHAT PHILOSOPHERS SPEND ALL THEIR TIME TALKING ABOUT. THAT'S WHY THEY LOOK LIKE THEY'RE CRAZY AND THEY SOUND CRAZY. THEY SEEM DISTRACTED, SOMEWHERE ELSE. BUT THEY DON'T WIND UP WITH DEPRESSION. THEY DON'T WIND UP WITH ULCERS. THEY DON'T WIND UP WITH HIGH BLOOD PRESSURE. THAT'S WHY ALL OF THEM GOT REAL LONG

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BEARDS AND THEY LIVE TO BE REAL, REAL OLD AND NOBODY LISTENS TO THEM. BUT THEY'VE REACHED THE POINT WHERE THEY DON'T NEED TO BE LISTENED TO BECAUSE THEY HAVE ALL THE COMPANY THAT THEY NEED INSIDE THEIR SKULL. AND THEY WILL MAKE IT. THEY HAVE COME TO REALIZE THAT NOTHING OUTSIDE OF YOU CAN AFFECT YOU ANY MORE THAN YOU ALLOW IT TO. SO IF YOU MAKE YOURSELF IMPERVIOUS TO OUTER STIMULI THAT WOULD GET YOU DOWN AND YOU DEVELOP IT TO A HIGH ENOUGH DEGREE, YOU MAY QUALIFY AS A STOIC. AND MAYBE NOT. BUT THE STOICS WERE DEEMED TO BE CONTEMPTIBLE BY THOSE WHO WERE NOT STOICS. SO YOU ALWAYS HAVE THESE DIFFERENT SCHOOLS OR APPROACHES TO VARIOUS THINGS THAT ARE GOING TO BE DONE BY HUMAN BEINGS. MY APPROACH IS SIMPLE. I DETERMINE IN MY MIND WHAT IS RIGHT FOR ME TO DO AND THAT'S WHAT I'M GOING TO DO. IF ALL THE VOICES ARE ON THE OTHER SIDE OF AN ISSUE... [LB47]

SENATOR COASH: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...AND I BELIEVE THAT I'M RIGHT, I'M GOING TO STAY ON MY SIDE OF THE ISSUE AND CONTINUE TO ADVOCATE FOR THAT. THIS BILL IS ONE OF THOSE BAD THINGS THAT I MUST USE EVERYTHING AT MY DISPOSAL TO DEFEAT, EVERYTHING AT MY DISPOSAL. AND WHAT IS AT MY DISPOSAL ARE THE ACTIVITIES THAT ARE CARRIED ON IN THIS CHAMBER. THERE ARE NOT MANY OF US HERE AT THIS LATE HOUR. IT'S LATE IN THE EYES OF SOME. BUT TOMORROW THERE ARE GOING TO BE PEOPLE HERE. THERE ARE GOING TO BE PEOPLE TRYING TO GET THINGS DONE, WANTING PEOPLE TO LISTEN TO THEM, WANTING THEM TO PARTICIPATE. BUT FOR ME, THE WORLD IS A CONTINUUM. IT DOESN'T MATTER WHETHER IT'S NIGHT, DAY, MORNING, NOON, EVENING, IT'S ONE CONTINUUM. [LB47]

SENATOR COASH: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB47]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT. MEMBERS OF THE BODY, AS LONG AS WE'RE HAVING SUCH A PICNIC FOR A FEW MORE MINUTES, WE JUST WILL HAVE A LITTLE BIT OF A PICNIC. YOU KNOW, SENATOR CHAMBERS SAID THAT SOME PHILOSOPHERS WONDER IF MOTION IS JUST AN ILLUSION. THAT

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CAUSED ME TO PONDER. IF EVERY POINT IS AT REST WITH RESPECT TO ITSELF, CAN MOTION BE ANYTHING OTHER THAN AN ILLUSION? BUT THIS IS NOT A PHILOSOPHY OR PHYSICS LESSON. I DO PONDER THE ODDITY OF THIS PARTICULAR FORM, THOUGH, THAT SENATOR HAAR PUT OUT IN WHICH YOU ARE ASKED QUESTIONS AND IT TELLS YOU, IF YOU ARE UNTRUTHFUL IN ANSWERING THE QUESTION, YOU COULD GO TO JAIL FOR UP TO FIVE YEARS. AND SOME OF THE...I CAN UNDERSTAND WHERE THAT WORKS. DO YOU HAVE EPILEPSY? DO YOU FAINT? WELL, YOU KNOW WHETHER YOU'RE LYING OR NOT LYING ABOUT THAT. AND I CAN UNDERSTAND THAT IT'S A PRETTY BAD THING THAT YOU MIGHT WANT TO GO TO JAIL FOR IF YOU LIED. BUT I DO WONDER ON THIS QUESTION. AND THAT IS, IF YOU DON'T WANT TO BE AN ORGAN DONATOR-- REALLY, REALLY, REALLY DON'T--BUT YOU FEEL UNDER THE PRESSURE OF THE MOMENT THAT YOU'D BETTER ANSWER YES, BECAUSE IT'S KIND OF A SCARY SITUATION THAT'S BEEN CREATED AND CERTAINLY A CONFUSING ONE, AND YOU LIE...WELL, IS SENATOR WATERMEIER IN THE BUILDING? WOULD HE ANSWER A QUESTION, MAYBE CLEAR THIS UP FOR ME? [LB47]

SENATOR COASH: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR SCHUMACHER: OKAY. SENATOR WATERMEIER, IF YOU LIE AND YOU SAY YOU DO WANT TO BE AN ORGAN DONATOR OR DONOR, BUT YOU REALLY DON'T, HOW IS THE COUNTY ATTORNEY SUPPOSED TO PRESENT EVIDENCE TO CONVICT YOU SO YOU CAN GO TO JAIL FOR FIVE YEARS? [LB47]

SENATOR WATERMEIER: WELL, I LOOKED AT THAT ON THE APPLICATION, AND YOU'RE TALKING ABOUT THE PART THAT SAYS FALSIFY THIS DOCUMENT? IT'S KNOWINGLY. [LB47]

SENATOR SCHUMACHER: WELL, I KNOW I'M LYING. [LB47]

SENATOR WATERMEIER: IT SAYS KNOWINGLY IN FRONT OF THAT. [LB47]

SENATOR SCHUMACHER: I MEAN YOU KNOW YOU'RE LYING WHEN YOU SAY YES. LET'S JUST...THAT PART OF THE QUESTION. YOU KNOW YOU'RE LYING WHEN YOU SAY YES. [LB47]

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SENATOR WATERMEIER: I CAN'T ANSWER...I CAN'T JUST...I JUST CAN'T ANSWER THAT. I DON'T KNOW HOW TO LEGALLY GET TO THAT POINT WHERE YOU'RE TALKING ABOUT HERE,... [LB47]

SENATOR SCHUMACHER: WELL, HOW WOULD IT... [LB47]

SENATOR WATERMEIER: ...THAT HYPOTHETICAL YOU'RE TALKING ABOUT. I JUST CAN'T (INAUDIBLE)... [LB47]

SENATOR SCHUMACHER: THIS IS A CRIME THAT OCCURS ONLY IN YOUR HEAD. BUT IT MUST BE A CRIME BECAUSE WE SAY IT'S A CRIME AND WE'VE GOT THE POWER TO DO SUCH THINGS. SO HOW DO YOU PROVE THAT? OR IS THAT OATH WITH RESPECT TO THAT QUESTION ABSOLUTELY MEANINGLESS? [LB47]

SENATOR WATERMEIER: I WOULD SAY IT'S NOT MEANINGLESS BECAUSE CERTAINLY THEY'RE GETTING TO THE POINT DOWN THERE ABOUT WHETHER YOU'RE MEDICALLY FIT TO DRIVE OR NOT, YOU KNOW, AS FAR AS THAT. AND I REALIZE THAT PLAYS RIGHT INTO WHAT YOU'RE SAYING. BUT I CAN'T ANSWER THAT QUESTION ABOUT THE CRIME MADE IN YOUR HEAD. I CAN'T ANSWER THAT. [LB47]

SENATOR SCHUMACHER: WELL, THEN SHOULDN'T THIS QUESTION BE DIFFERENT FROM ALL THE OTHER QUESTIONS, NOT EVEN ON THE SAME FORM WHERE IT'S MIXED IN WITH STUFF THAT COULD BE PROVED AS A CRIME IS? [LB47]

SENATOR WATERMEIER: THAT'S THE WAY IT IS NOW. [LB47]

SENATOR SCHUMACHER: WELL, BUT THIS QUESTION ISN'T THIS WAY NOW. [LB47]

SENATOR WATERMEIER: THAT'S THE WAY THE APPLICATION IS NOW. [LB47]

SENATOR SCHUMACHER: SO HOW IS IT ENFORCED? HOW IS THAT OATH ENFORCED? THANK YOU, SENATOR WATERMEIER. [LB47]

SENATOR WATERMEIER: I CHOOSE NOT TO ANSWER (LAUGHTER). [LB47]

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SENATOR SCHUMACHER: THIS IS THE WRONG MECHANISM TO GO ABOUT ENCOURAGING ORGAN HARVESTING. MAY BE A GOOD IDEA, PROBABLY IS A VERY GOOD IDEA, BUT THIS ISN'T THE MECHANISM TO USE. IT DOESN'T FIT. AND LIKE O.J. SAID, IF THE GLOVE DOESN'T FIT, YOU MUST ACQUIT. [LB47]

SENATOR COASH: ONE MINUTE. [LB47]

SENATOR SCHUMACHER: AND SO SENATOR CHAMBERS' MOTION TO RECOMMIT THIS TO COMMITTEE AND THINK THROUGH THE THING MAY NOT BE THE WORLD'S WORST IDEA. THANK YOU. [LB47]

SENATOR COASH: THANK YOU, SENATOR SCHUMACHER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, A GREAT PHILOSOPHER I AM NOT. I CAN'T EVEN DISCUSS WHETHER OR NOT MOTION IS MOTION. THAT'S BEYOND MY POOR ABILITY TO ADD OR DETRACT. BUT WHAT I DO RECOGNIZE IS AN ASSAULT ON OUR FIRST AMENDMENT RIGHT, AND THAT'S WHAT WE'RE DEALING WITH HERE. I WILL DO WHATEVER I CAN TO PREVENT THAT FROM HAPPENING AND, THEREFORE, I WILL CONTINUE TO OPPOSE LB47. AND RIGHT NOW IT APPEARS THE BEST WAY I CAN DO THAT IS TO YIELD MY TIME TO SENATOR CHAMBERS. [LB47]

SENATOR COASH: SENATOR CHAMBERS, YOU'VE BEEN YIELDED 4:15, AND YOU'RE NEXT IN THE QUEUE. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. WELL SAID, MY SON. MEMBERS OF THE LEGISLATURE, I'D LIKE TO ASK THE SENATOR WATERMAN (SIC) A QUESTION OR TWO TAILGATING ON THE DISCUSSION HE HAD WITH "MENTOR" SCHUMACHER. [LB47]

SENATOR COASH: SENATOR WATERMEIER, WILL YOU YIELD? [LB47]

SENATOR WATERMEIER: SENATOR WATERMEIER WILL ANSWER A QUESTION, BUT SENATOR "WATERMAN" IS NOT IN THE BUILDING. [LB47]

SENATOR CHAMBERS: WHO SAID "WATERMAN"? DID I SAY "WATERMAN"? [LB47]

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SENATOR WATERMEIER: I SAID I'D ANSWER A QUESTION. [LB47]

SENATOR CHAMBERS: OKAY. WELL, AM I TALKING TO SENATOR WATERMEIER OR SENATOR "WATERMAN"? [LB47]

SENATOR WATERMEIER: WATERMEIER, THAT DOESN'T KNOW THE ENGLISH LANGUAGE. [LB47]

SENATOR CHAMBERS: THANK YOU. SENATOR WATERMEIER, WHEN YOU AND SENATOR SCHUMACHER WERE TALKING, THE DISCUSSION REVOLVED AROUND WHETHER OR NOT A PERSON KNOWINGLY STATED A FALSEHOOD. CORRECT? [LB47]

SENATOR WATERMEIER: THAT'S HOW I RECALL, YES. [LB47]

SENATOR CHAMBERS: AND IF A PERSON KNOWINGLY STATES A FALSEHOOD, THAT IS WHAT CONSTITUTES PERJURY. DO YOU AGREE WITH THAT, BASED ON THE LANGUAGE OF THAT FORM THAT YOU SIGN? [LB47]

SENATOR WATERMEIER: YOU KNOW, YOU COULD DEFINE PERJURY. I REALLY COULDN'T. BUT, YEAH, I WOULD SAY THAT'S WHERE YOU'RE HEADED WITH IT, YEAH. [LB47]

SENATOR CHAMBERS: IF YOU KNOWING IT...RIGHT, AND I'M NOT GOING TO ARGUE WITH THAT. ALL RIGHT. SO THE STATE MUST FEEL THAT TELLING THE TRUTH IS VERY IMPORTANT WHEN YOU'RE FILLING OUT AND SIGNING THIS PARTICULAR DOCUMENT. WOULD YOU AGREE WITH THAT, IF THEY MAKE IT A CRIME TO KNOWINGLY FALSIFY WHAT YOU SAY ON THAT DOCUMENT? [LB47]

SENATOR WATERMEIER: YES. [LB47]

SENATOR CHAMBERS: THEN WE PUT A HIGHER STANDARD AND REQUIREMENT ON PEOPLE FILLING OUT A DOCUMENT TO GET A DRIVER'S LICENSE THAN WE PUT ON THE LEGISLATURE IN ENACTING LEGISLATION, DON'T WE? [LB47]

SENATOR WATERMEIER: WELL, THEY'RE PAID ACCORDINGLY. [LB47]



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SENATOR CHAMBERS: SAY IT AGAIN? [LB47]

SENATOR WATERMEIER: YES, WE DO. [LB47]

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, SENATOR WATERMEIER IS CORRECT. IF A PERSON LIES ON THE APPLICATION, THAT'S PERJURY. IF THE LEGISLATURE KNOWINGLY FASHIONS A LIE IN THE STATUTE, IT'S ALL RIGHT. I THINK WE OUGHT TO DO AWAY WITH THAT PERJURY STATEMENT ON THAT DOCUMENT AND TELL PEOPLE WE HOLD YOU TO THE SAME STANDARD OF TRUTH TELLING THAT WE HOLD LEGISLATORS. DO YOU THINK THAT ANY COURT WOULD SAY THAT YOU SWEAR TO TELL THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH IN THE SAME WAY THAT THE LEGISLATURE WOULD? YOU ALL KNOW NO COURT WOULD DO THAT BECAUSE THEY WANT THE TRUTH. SO LEGISLATORS CAN LIE. LEGISLATORS CAN PASS LEGISLATION THAT IS DECEPTIVE AND DISHONEST, AND IT'S ALL RIGHT. SHOULDN'T WE BE AN EXAMPLE? OR WE'RE THOSE WHO SAY, DON'T DO AS I DO, DO AS I SAY DO? IF I WERE GOING TO WRITE A LITTLE SONG ABOUT WHAT WE'RE DOING, THEN I'M NOT GOING TO SING IT. BUT IT WOULD GO SOMETHING LIKE THIS, BECAUSE SENATOR BLOOMFIELD SAID YOU ALL ARE GOING TO PRAY, THERE WILL BE A PRAYER IN THE MORNING IF HE HAS ANYTHING TO SAY ABOUT IT. AND THIS IS THE SENATOR: I KNOW I'VE GOT RELIGION AND I'M GOING TO HEAVEN WHEN I DIE; BUT SOMETIMES OLD SATAN GETS AROUND ME AND HE WILL MAKE ME LIE AND I JUST LIE, LIE, LIE TO EVERYBODY. DO YOU CALL THAT RELIGION? YES, YES. YOU CALL THAT RELIGION? YES, YES. THEN HERE IS THE ATTITUDE OF MY COLLEAGUES WHEN IT COMES TO DICTATING TO OTHER PEOPLE: I KNOW I'VE GOT RELIGION AND I KNOW I'VE BEEN CALLED TO TEACH, BUT IT AIN'T NONE OF YOUR BUSINESS WHAT I DO, YOU JUST PRACTICE WHAT I PREACH. THAT'S YOUR ATTITUDE: PRACTICE WHAT I PREACH. MY CONDUCT IS TOO UNACCEPTABLE FOR ME TO TELL YOU TO DO AS I DO BECAUSE IF YOU DO AS I DO, I WOULDN'T TRUST YOU. I WOULDN'T LET YOU IN MY HOUSE. I CERTAINLY WOULDN'T LET YOU BY THE SILVERWARE IF I'M NOT THERE TO WATCH YOU. WHEN YOU CANNOT TELL SOMEBODY THAT THE STANDARD OF CONDUCT THAT GUIDES ME AND THAT I FOLLOW, IF YOU FOLLOWED IT, I WOULDN'T TRUST YOU, THAT'S PATHETIC. BUT THAT'S WHAT YOU WOULD HAVE TO SAY. IF YOU HAD TO TELL SOMEBODY THAT IF YOU APPLY TO YOURSELF THE STANDARD OF TRUTH TELLING THAT I APPLY TO MYSELF AS A MEMBER OF THE LEGISLATURE, I WOULDN'T BELIEVE A WORD YOU SAID. BUT IF FOR AN INSTANT WE WERE GOING TO BE HONEST, WE WOULD AT LEAST TELL PEOPLE, DON'T BELIEVE ME, DON'T DO WHAT I DO, DO WHAT I SAY DO WHEN I'M IN ONE OF MY MORE LUCID MOMENTS AFTER I'VE TAKEN MY MEDICATION, BUT UNDER

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ORDINARY CIRCUMSTANCES I WILL LIE AND I WILL TRICK YOU AND I WILL DECEIVE YOU. AND I WAS THINKING ABOUT WHAT MY GOOD FRIEND SENATOR BLOOMFIELD MENTIONED ABOUT PINOCHLE. EIGHT...I'D LIKE TO ASK HIM A QUESTION IF SENATOR BLOOMFIELD WILL YIELD. [LB47]

SENATOR COASH: SENATOR BLOOMFIELD, WILL YOU YIELD? [LB47]

SENATOR BLOOMFIELD: ABSOLUTELY. [LB47]

SENATOR CHAMBERS: SENATOR BLOOMFIELD, WAS THE NAME OF THAT GAME YOU'RE TALKING ABOUT PEANUT BRITTLE? WHAT DID YOU... [LB47]

SENATOR BLOOMFIELD: NO, PINOCHLE. [LB47]

SENATOR CHAMBERS: OH, PINOCHLE, OKAY. NOW YOU SAID THERE ARE EIGHT ACES IN THE DECK. [LB47]

SENATOR BLOOMFIELD: THAT'S CORRECT. [LB47]

SENATOR CHAMBERS: ALL RIGHT. CAN THERE BE TWO ACES IN EACH OF MY SLEEVES AND TWO ACES IN EACH OF MY CUFFS? IS THAT LEGAL IN THE GAME OF PINOCHLE? [LB47]

SENATOR BLOOMFIELD: IT IS NOT LEGAL BUT IT'S CERTAINLY POSSIBLE. [LB47]

SENATOR CHAMBERS: SO EVEN THOUGH THERE ARE EIGHT ACES, THEY CAN BE USED OR THAT NUMBER CAN BE MANIPULATED IN A WAY THAT VIOLATES THE RULES, EVEN OF A GAME LIKE PINOCHLE. [LB47]

SENATOR BLOOMFIELD: I HAVE YET TO FIND A GAME THAT MAN HAS DEVISED THAT MAN HAS NOT BEEN ABLE TO CHEAT AT. [LB47]

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, YOU'VE JUST LEARNED SOMETHING ABOUT PINOCHLE. I DON'T EVEN KNOW HOW MANY CARDS THERE WOULD BE IN A DECK. BUT AT ANY RATE, I DO KNOW THIS. I KNOW WHAT THE TRUTH IS. AND I KNOW TRUTH TELLERS WHEN I HEAR THEM. WHAT YOU ALL FORGET IS THAT I'VE BEEN AROUND YOU ALL FOR OVER A YEAR,

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ALL OF YOU, EVEN IF YOU ONLY HAVE TWO YEARS LEFT HERE. I STUDY PEOPLE. I'VE LISTENED TO YOU. I'VE WATCHED YOU. AND YOU WANTED TO CONVEY THE IMPRESSION, EVERY ONE OF YOU, THAT YOU ARE HONEST, THAT YOU ARE DEPENDABLE, THAT YOU ARE RELIABLE, THAT YOU ARE TRUSTWORTHY. AND YOU EVEN GET CRITICIZED BY SOME OF YOUR COLLEAGUES ABOUT NOT BEING WILLING TO KEEP YOUR WORD TO THE PUBLIC, AND YET YOU DON'T FEEL BOUND TO LEVEL WITH THE PUBLIC. THIS THING THAT WE'RE TALKING ABOUT, KEEPING WITH MY PROMISE TO REPEAT IT AND REPEAT IT, IS AN EXERCISE IN DECEPTION, INAPPROPRIATE COERCION, THREATENING A PUNISHMENT THAT WILL NEVER BE CARRIED OUT. AS A MATTER OF FACT, THERE IS NO SANCTION ATTACHED TO THIS SUPPOSEDLY MANDATORY REQUIREMENT. [LB47]

SENATOR COASH: ONE MINUTE. [LB47]

SENATOR CHAMBERS: IF IT'S MANDATORY AND THE STATE SAYS IT'S MANDATORY, THERE ARE CONSEQUENCES THAT FOLLOW IF YOU DON'T DO WHAT IS MANDATED. YOU ALL, IF YOU DIDN'T KNOW IT, YOU KNOW IT NOW. BUT YOU'RE DISREGARDING THAT. THAT'S WHY I SAY IT'S A LIE THAT YOU ARE TELLING IN THIS LEGISLATION. DON'T LET THEM PUT "MANDATED" ON THAT FORM WHEN IT IS NOT. YOU KNOW THAT IT'S NOT. SENATOR BOLZ KNOWS THAT IT'S NOT. SENATOR...I KNOW SENATOR MORFELD KNOWS BETTER. SENATOR SEILER KNOWS BETTER. I'VE SAT ON COMMITTEES WITH YOU ALL. I KNOW YOU KNOW WHAT TRUTH IS. AND I KNOW HOW UPSET YOU ALL ARE WHEN WE HAD WITNESSES WHO DIDN'T TELL THE TRUTH AND YOU'RE GOING TO SIT HERE AND ENACT A LIE. ON OUR COMMITTEES, FROM NOW ON I'M GOING TO LISTEN TO YOU DIFFERENTLY AND I'LL TELL THE WITNESS, YOU DON'T HAVE TO TELL THE TRUTH, THEY DON'T TELL THE TRUTH, AT LEAST YOU DIDN'T PUT YOURS IN THE LAW, THE LIE YOU TELL HERE IS TO SAVE YOUR HIDE, BUT THEY PUT A LIE IN THE LAW, THEY PUT A LIE ON THE LAW BOOKS. [LB47]

SENATOR COASH: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: TIME...OH. [LB47]

SENATOR COASH: TIME. [LB47]

SENATOR CHAMBERS: OKAY. [LB47]

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SENATOR COASH: SENATOR WATERMEIER, YOU ARE RECOGNIZED. [LB47]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. I WANTED TO JUST GET OUR CONVERSATION BACK TO WHAT WE HAVE, THE BILL IN FRONT OF US, AND REMIND THOSE IN THE BODY THAT WE'RE GOING TO HAVE TO VOTE ON THIS I'M THINKING ABOUT 4:50 OR 5:00. I'D APPRECIATE PEOPLE TO CONSIDER THEIR SCHEDULE AND STICK AROUND WITH ME. ONE OF THE POINTS THAT WE'VE HAD DISCUSSED HERE A COUPLE OF TIMES IS, CAN'T WE INCREASE THE DONOR LIST IN OTHER WAYS? LET ME REMIND YOU THAT 98 PERCENT OR EVEN HIGHER OF THE PEOPLE THAT ARE ON THE ORGAN DONOR LIST GOT ON THE ORGAN DONOR LIST BY THE DRIVER'S LICENSE APPLICATION. ALL THE EDUCATION PROCESSES THAT WE'VE DONE HAVE NOT WORKED, HAVE NOT BEEN EFFECTIVE. THAT'S NOT IN DEFENSE OF WHAT SENATOR CHAMBERS IS ARGUING, I GET THAT, BUT THAT IS THE ORIGINATION OF THIS BILL. THAT'S WHY THEY ORIGINALLY PUT IT ON THE DRIVER'S LICENSE BILL. I WOULD LIKE PEOPLE TO JUST REMEMBER THAT. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: THANK YOU, SENATOR WATERMEIER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. MAYBE WE SHOULD JUST MANDATE, IN ORDER TO GET YOUR DRIVER'S LICENSE, YOU HAVE TO BE A DONOR. WOULD THAT MAKE SENSE? WE'D GET A LOT HIGHER PARTICIPATION. WE'D GET MORE NAMES ON THE LIST. YOU WOULDN'T BE FOOLING ANYBODY. YOU WOULDN'T BE HIDING ANYTHING. MAYBE THAT'S THE ROUTE WE SHOULD GO. IF YOU WANT TO GET A DRIVER'S LICENSE, YOU WILL DONATE YOUR ORGANS. THAT'S NOT THE LAW I CHOOSE TO OPERATE UNDER, NOR DO I CHOOSE TO DECEIVE THE PUBLIC BY TELLING THEM YOU WON'T GET YOUR DRIVER'S LICENSE UNLESS YOU ANSWER THIS QUESTION, WHEN IN FACT WE INTEND TO GIVE THEM THEIR DRIVER'S LICENSE WHETHER THEY ANSWER THAT QUESTION OR NOT. AND, SENATOR CHAMBERS, THE REASON I WAS FAIRLY CONFIDENT THERE WOULD BE A PRAYER TOMORROW IS BECAUSE I HAVE VOLUNTEERED TO DELIVER IT. MR. PRESIDENT, I YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. [LB47]

SENATOR COASH: SENATOR CHAMBERS, 3:48. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, "BROTHER" BLOOMFIELD. MEMBERS OF THE LEGISLATURE, IT WOULD REALLY BE PITIFUL IF

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SOME PEOPLE HAD BEEN WATCHING US HERE, AND ESPECIALLY IF THEY'RE YOUNG PEOPLE, AND YOU CALL YOURSELF COUNSELING THAT YOUNG PERSON AND YOU SAID, NOW YOU SHOULD BE HONEST, YOU SHOULD TELL THE TRUTH, INTEGRITY IS IMPORTANT, AND YOU CAN BE A GOOD PERSON. AND THAT YOUNG PERSON WOULD LOOK AT YOU AND SAY, LIKE YOURSELF, SIR, OR, LIKE YOURSELF, MA'AM? IN OTHER WORDS, IF I'M LIKE YOU, AM I A GOOD PERSON? IF I SPEAK AS YOU SPEAK, AM I AN HONEST PERSON? OH, YOU ALL ARE GOING TO BRING UP ISSUES AND YOU'RE GOING TO TALK ABOUT WHY YOU NEED TO CALL A CONVENTION, MY GOOD FRIEND SENATOR EBKE, BECAUSE THEY DON'T LIKE SOME THINGS THE GOVERNMENT IS DOING, THE GOVERNMENT IS NOT STRAIGHTFORWARD, THEY DON'T DEAL FAIRLY WITH THE PEOPLE. WELL, WHAT ABOUT THIS LEGISLATURE? THIS LEGISLATURE IS NOT DEALING FAIRLY WITH THE PEOPLE. IT'S NOT DEALING HONESTLY WITH THE PEOPLE. IT'S PUTTING ON THE STATUTE BOOKS A KNOWING FALSEHOOD. IT IS MISLABELING WHAT IT CALLS MANDATORY, THREATENING PEOPLE WITH A PUNISHMENT THAT WILL NEVER BE IMPOSED BECAUSE THE STATE DOESN'T FEEL YOU SHOULD BE PUNISHED FOR NOT DOING THIS. BUT THEY'RE GOING TO GIVE YOU THE IMPRESSION THAT YOU WILL BE PUNISHED. AND YOU ALL ARE GOING TO BLAME THE FEDERAL GOVERNMENT FOR SOMETHING? FEDERAL GOVERNMENT IS BETTER THAN YOU ALL. THEY'RE CERTAINLY NO WORSE. AND I'M GOING TO SEE HOW MANY OF YOU ALL...NOT LITERALLY BECAUSE I DON'T COME UP HERE WHEN THEY ENGAGE IN THEIR SACRILEGE. BUT THERE ARE PEOPLE WHO COME HERE FOR THIS PRAYER AND IT MEANS NO MORE TO THEM THAN IF I SAID, MICKEY MOUSE, DONALD DUCK, AND GOOFY, AND THEY KNOW IT. AND THE SUPREME COURT OF THE UNITED STATES KNOWS IT, TOO, BECAUSE THEY SAID THOSE PRAYERS HAVE NO RELIGIOUS CONTENT WHATSOEVER, THEY ARE PURELY SECULAR, THEY ARE A MATTER OF TRADITION, THEY DON'T MEAN ANYTHING. THAT'S WHAT THE SUPREME COURT SAID AND, THEREFORE, THEY CAN UTTER THESE PRAYERS. IT WOULD BE LIKE SOMEBODY STANDING UP THERE AND READING A COMIC BOOK ABOUT DICK TRACY OR THE FLASH OR BATMAN AND ROBIN OR SUPER GIRL, MARY MARVEL--IT MEANS NOTHING. YOU ALL WON'T EVEN BE AS HONEST ABOUT YOUR RELIGION AS I AM. YOU DON'T BELIEVE IT. [LB47]

SENATOR COASH: ONE MINUTE. [LB47]

SENATOR CHAMBERS: I THINK THE WORST THING A PERSON CAN DO IS TO LIE BECAUSE IT'S DECEPTION, IT'S DISHONEST. IT MEANS THERE IS NO WAY YOU CAN FIND THAT PERSON TRUSTWORTHY. YOU CANNOT BELIEVE WHAT THAT PERSON SAYS IS TRUE. AND YOU ALL ARE ENACTING A LIE. AND I'D LIKE SENATOR

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WATERMEIER OR ANYBODY ON THIS FLOOR TO SHOW ME WHERE IT'S NOT A LIE. YOU ALL, IF YOU DON'T KNOW WHAT MANDATORY MEANS, LOOK IT UP IN THE DICTIONARY. AND THIS IS NOT MANDATORY. SO WHY DO YOU MAKE THE THREAT? WHY DO YOU WAVE A GUN AT SOMEBODY? TO FRIGHTEN THEM, TO INTIMIDATE THEM, TO COERCE THEM INTO DOING THAT WHICH THEY WOULD NOT VOLUNTARILY DO. AND YOU THINK THAT IS ETHICAL? WHY, YOU OUGHT TO BE ASHAMED OF YOURSELVES. MAYBE WHAT I NEED TO DO IS BRING A DICTIONARY UP HERE AND READ THE DEFINITION OF SOME OF THESE WORDS THAT YOU ALL THROW AROUND. [LB47]

SENATOR COASH: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: SENATOR CHAMBERS, YOU ARE RECOGNIZED TO CLOSE ON YOUR MOTION TO RECOMMIT. [LB47]

SENATOR CHAMBERS: MR. PRESIDENT, WHEN I WAS YOUNG, I WAS VERY NAIVE. I BELIEVED GROWN PEOPLE. I BELIEVED EVERYTHING THEY TOLD ME. I SAID, YES, SIR. I SAID: YES, MA'AM; NO, SIR; NO, MA'AM. THEN I FOUND OUT THAT GROWN PEOPLE DON'T TELL THE TRUTH. AND I'LL TELL YOU WHAT HAPPENED WITH ME. I WENT TO ONE OF THESE CHURCHES. YOU ALL CALL THEM EVANGELICAL OR FUNDAMENTALIST OR WHATEVER. I CALL THEM MADHOUSES. I WENT TO SUCH A MADHOUSE. AND I WENT SO MANY DAYS OF THE WEEK THAT IN A MONTH I'D GONE ENOUGH TO CHURCH LONG ENOUGH AND OFTEN ENOUGH SO NO CHILD ON THE FACE OF THIS EARTH SHOULD EVER HAVE TO DARKEN A CHURCH DOOR AGAIN. AND IT WAS WORTHLESS. BUT I BELIEVED ALL THAT STUFF BECAUSE PEOPLE I WANTED TO BELIEVE WERE TELLING THE TRUTH, I CONVINCED MYSELF WERE TELLING THE TRUTH. AND WHEN I FOUND OUT THEY WERE LYING AND ALL THIS STUFF THEY TALK ABOUT, RIGHTEOUSNESS AND GOD AND HOLINESS, WAS SO MUCH PIFFLE, THEN IT CAUSED ME TO START WATCHING ALL GROWN PEOPLE VERY WELL, VERY CLOSELY. AND I DIDN'T BELIEVE ANYTHING ANY GROWN PERSON TOLD ME. EVEN IF IT SOUNDED GOOD, I FELT IT WAS A TALE, THAT THEY ARE LYING. THEY CAN'T BE TRUSTED. GROWN PEOPLE DON'T TELL THE TRUTH. AND YOU ALL BEAR THAT OUT. YOU STILL TALK. WHAT IS THERE TO BE GAINED BY PRETENDING TO BE HONEST WHEN YOU'RE DISHONEST? WHAT IS THERE TO BE GAINED BY PRETENDING YOU TELL THE TRUTH WHEN YOU'RE LYING? BECAUSE YOU HAVE SOME ADVANTAGE YOU'RE TRYING TO GET. SO EVEN IN LYING, YOU'RE LYING TO TAKE ADVANTAGE

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OF A SITUATION IN A WAY THAT IS UNETHICAL, UNETHICAL FROM STEM TO STERN, DISHONEST FROM TOP TO BOTTOM, CROOKED FROM FORE TO AFT, ANY WAY YOU WANT TO SAY IT. AND YOU ALL KNOW IT. NOT ONE OF YOU WILL STAND UP HERE AND TELL ME WHAT I'M SAYING IS NOT CORRECT, THAT WHAT YOU ARE PUTTING INTO THE LAW IS SOMETHING DESIGNED TO MISLEAD PEOPLE. WHY WOULD YOU PUT IT'S MANDATORY WHEN IT'S NOT, BUT LEAVE A VEILED THREAT? BECAUSE YOU WANT TO MAKE THEM THINK THEY HAD BETTER DO IT OR THEY WILL BE PUNISHED. THAT'S A LIE. BUT IF THAT PERSON WRITES SOMETHING ON THAT APPLICATION THAT'S NOT TRUE, HE OR SHE IS GUILTY OF PERJURY AND GO TO JAIL FOR IT. BUT NOT YOU. AND YOU'RE HELD TO A HIGHER STANDARD. THAT'S WHAT COURTS HAVE SAID, PUBLIC OFFICIALS ARE HELD TO A HIGHER STANDARD, BECAUSE THOSE OF US WHO ARE IN OFFICE TOOK AN OATH AND WE ARE TRUSTEES, AND THAT THESE REQUIREMENTS ARE NOT MERE THEORETICAL ABSTRACTIONS. THEY ARE BINDING PRINCIPLES FOUND IN THE COMMON LAW AND THEY ARE OBLIGATIONS WHICH PUBLIC OFFICIALS VOLUNTARILY ASSUME AND, THEREFORE, THEY ARE HELD TO A HIGHER STANDARD. BUT THEY'RE THE ONES WHO WILL SCREAM LIKE A PIG WITH HIS NOSE UNDER A GATE WHEN YOU WANT TO CUT OFF THEIR WRONGDOING. I'M SURPRISED AT SENATOR WATERMEIER. I'M SURPRISED AT ALL OF YOU WHO HAVE VOTED. AND I'M ESPECIALLY SURPRISED AT THESE SO-CALLED CONSERVATIVES WHO ARE UP HERE DOING ALL THAT YAKETY-YAKKING ABOUT LETTING THE PUBLIC KNOW WHAT YOUR POSITION IS AND TELLING THE TRUTH AND KEEPING YOUR WORD. AND THAT'S WHY I SAID YOU WANT THEM TO KEEP THEIR WORD TO EACH OTHER AND THEY BREAK THEIR WORD TO GOD. WHY, YOU DON'T BELIEVE IN GOD. YOU MANIFEST YOUR BELIEF BY YOUR CONDUCT. JESUS SAID, WHY CALL ME, LORD, LORD, AND YOU DON'T DO WHAT I SAY? WHY? BECAUSE YOU DON'T BELIEVE ANY OF THAT. YOU KNOW YOU DON'T BELIEVE IN IT. SO IT DOESN'T BOTHER YOU TO LISTEN TO A PRAYER THIS MORNING AND THEN MANUFACTURE A LIE IN THE STATUTE THAT SAME DAY. THAT'S THE WAY YOU OPERATE. [LB47]

SENATOR COASH: ONE MINUTE. [LB47]

SENATOR CHAMBERS: JESUS SAID YOU SHOULD BE LIKE A CITY SET UPON A HILL. YOU SHOULD LET YOUR LIGHT SO SHINE BEFORE MEN THAT THEY MAY SEE YOUR GOOD WORKS AND GLORIFY YOUR FATHER WHICH IS IN HEAVEN. AND YOU KNOW WHAT YOU ALL WOULD DO BEHIND YOUR HAND? (COVERS MOUTH AND LAUGHS) AND SAY HE'S AS NUTTY AS A FRUITCAKE. I'M JUST QUOTING THE ONE YOU ALL SAY YOU BELIEVE. THEY DRAW NIGH UNTO ME WITH THEIR MOUTH BUT IN THEIR HEARTS THEY ARE FAR FROM ME--THAT'S WHAT JESUS

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SAID. THAT'S YOU ALL. SENATOR WATERMEIER SAID YOU ALL MUST SUFFER FOR A FEW MORE MINUTES. THEN, NOT ONLY DO YOU QUALIFY FOR SAINTHOOD, YOU CAN GO TO HEAVEN WITHOUT DYING. [LB47]

SENATOR COASH: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION TO RECOMMIT LB47 TO COMMITTEE. THE QUESTION FOR THE BODY IS, SHALL LB47 BE RECOMMITTED? ALL THOSE IN FAVOR VOTE AYE. SENATOR CHAMBERS. [LB47]

SENATOR CHAMBERS: CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB47]

SENATOR COASH: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB47]

CLERK: 25 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL. [LB47]

SENATOR COASH: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. UNEXCUSED SENATORS AWAY FROM THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR HANSEN, SENATOR FOX, SENATOR DAVIS, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. MEMBERS, THE QUESTION FOR THE BODY IS, SHALL LB47 BE RECOMMITTED TO COMMITTEE? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. MR. CLERK, PLEAD READ THE ROLL. [LB47]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 260.) 2 AYES, 34 NAYS ON THE MOTION TO RECOMMIT. [LB47]

SENATOR COASH: MOTION IS NOT ADOPTED. RAISE THE CALL. MR. CLERK, YOU HAVE AN ITEM? [LB47]

CLERK: I HAVE A MOTION TO RECONSIDER THAT VOTE JUST TAKEN, MR. PRESIDENT. [LB47]



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SENATOR COASH: SENATOR CHAMBERS, YOU'RE RECOGNIZED ON YOUR MOTION TO RECONSIDER. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, YOU MUST BE A MIND READER. HE DIDN'T EVEN SAY WHO MADE THE MOTION, BUT YOU KNEW AND YOU'RE CORRECT. I DID OFFER IT. I'M LOOKING AROUND THIS CHAMBER AND IT LOOKS LIKE THE DAWN OF THE DEAD. NOW I'M THE ONE WHO HAS BEEN WORKING SINCE THIS MORNING, AND I TOLD YOU I WOULD, AND YOU ALL SITTING AROUND HERE LIKE YOU'VE BEEN WORKING IN THE COAL MINE, CUTTING CANE IN THE FIELD, AND YOU HAVEN'T BEEN DOING ANYTHING EXCEPT RESTING, MAYBE EATING AND DRINKING AND CAROUSING. BUT THEN YOU'RE DOING WHAT THE BIBLE SAID. IT SAID WE SHOULD EAT, DRINK, AND BE MERRY. YOU DIDN'T KNOW THAT WAS IN THE BIBLE, DID YOU? BUT IT WAS. AND IT ALSO IN OTHER PLACES CONDEMNS THAT. IT'S LIKE YOU ALL: IT SAYS ONE THING HERE AND SOMETHING ELSE OVER THERE. BUT I PROMISED THAT I WAS GOING TO KEEP US HERE AND I'VE KEPT MY PROMISE. AND TOMORROW IS ANOTHER DAY. AND WE'LL SEE WHAT HAPPENS TOMORROW. AND I'M GOING TO SEE HOW JOYFUL YOU ALL ARE. I'M GOING TO SEE HOW SNIDE YOU ARE TOMORROW. AND WE'LL JUST TAKE LIFE AS IT COMES. BUT I'M GOING TO BE ME. I AM MY OWN MAN. AND THAT MAKES ME BETTER THAN MOST OF YOU IN HERE BECAUSE YOU KNOW BETTER THAN TO DO WHAT YOU'RE DOING. BUT YOU DARE NOT DO WHAT YOU KNOW IS RIGHT. AND YOU, I'M GOING TO TELL YOU AGAIN, YOU ARE ENACTING IN STATUTE A LIE. YES, A LIE. THAT'S WHAT I SAID. YOU KNOW WHAT THEY'RE PUTTING DOWN IS A LIE. SO ON THESE COMMITTEES THAT I SERVE, I'M GOING TO WATCH AND LISTEN TO THE WAY THOSE PEOPLE TALK, THE THINGS THEY SAY THAT ARE IMPORTANT. THEN THEY COME HERE IN THIS ARENA AND ENACT A FALSEHOOD, MISLEAD THE PUBLIC. WHY, WHAT THEY DO IN THE PRISON--AND NOW I'M NOT TALKING ABOUT THE OFFICIALS, I'M TALKING ABOUT THE ONES BEHIND THE BARS--THEY COULD TEACH YOU ALL SOMETHING ABOUT HONOR. BUT I'LL TELL YOU WHAT, IF SOMEHOW WE CAN SQUEEZE OUT OF YOU THE RIGHT THING FOR WHATEVER REASON, YOUR MOTIVES CAN BE AS CORRUPT AS ALL GET OUT, YOU CAN BE CORRUPT, BUT IF YOU'RE GOING TO DO THE RIGHT THING, I'LL BE GLAD TO SEE YOU DO THAT AND I'LL HELP YOU DO IT. BUT I DON'T RESPECT YOU FOR DOING IT. I SEE THROUGH YOU AND I KNOW WHAT YOU ARE NOW. BUT I'M GLAD TO BE A MEMBER OF THIS LEGISLATURE BECAUSE IT IS A STUDY IN HUMAN NATURE. IT IS AN OBJECT LESSON AND A LABORATORY IN HONESTY, INTEGRITY, TRUTH TELLING, AND TRUTH DOING. YOU ALL WENT TO SCHOOL. SOME OF YOU ALL TEACH. HOW ARE YOU GOING TO TEACH OTHERS WHEN YOU DON'T PRACTICE YOURSELF? YOUR JESUS SAID, THOU THAT SAYETH DON'T LIE, DOST THOU LIE? YEAH, YOU DO. AND THERE'S

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NO OTHER WAY TO SAY IT. AND YOU ALL WILL RUN FOR OTHER OFFICES. YOU WILL TELL ALL THE GREAT THINGS YOU'RE GOING TO DO. BUT IT'S NOT TRUE. AND I WILL HAVE THIS THAT YOU'RE DOING TO HOLD UP IF YOU SHOULD MANAGE TO GET IT THROUGH THIS SESSION IN THE 50-SOME-ODD DAYS THAT WE HAVE REMAINING AND IF THE GOVERNOR AGREES TO SIGN IT. THIS IS ONE OF THE WORST THINGS THAT YOU ALL HAVE CONTRIVED TO DO UP TO THIS TIME. BUT MAYBE AFTER YOU GO HOME AND YOU GO TO SLEEP AND YOU THINK ABOUT IT, YOU'LL COME BACK TOMORROW A BETTER PERSON THAN YOU WERE WHEN YOU LEFT HERE THIS EVENING. I DON'T HAVE TO CHANGE. YOU ALL CALL DYING BEING CALLED HOME, WHATEVER THAT MEANS AND WHEREVER IT IS. IF I'M CALLED HOME TONIGHT, SO WHAT? I DID WHAT I BELIEVED I OUGHT TO DO. WHAT ABOUT YOU ENACTING A LIE? AND YOU'RE GOING TO RUN FOR OFFICE AGAIN AND YOU'RE GOING TO MAKE PROMISES. YOU'RE GOING TO PRETEND TO BE SOMETHING THAT YOU KNOW GOOD AND WELL THAT YOU'RE NOT. AND ONE WHO WATCHES YOU, THE ALL-SEEING EYE, IS WATCHING YOU, KNOWS YOU'RE LYING. YOU HURLED THE LIE IN HIS FACE WHILE TRYING TO TRICK MERE HUMAN BEINGS. THERE WAS A SCULPTOR. HE WAS A GREEK SCULPTOR. AND HE WAS SCULPTING THESE GODS FROM STONE AND MARBLE. AND THEY WERE TO BE POSITIONED IN AN ALCOVE. AND SOME PEOPLE WERE WATCHING HIM. AND HE SPENT AS MUCH TIME SCULPTING THE BACK PORTION OF THE STATUE AS THE FRONT PORTION THAT COULD BE SEEN BY PEOPLE. AND WHEN THE STATUE WAS IN FACT PUT IN PLACE, ALL YOU COULD SEE OF THAT STATUE WAS THE FRONT. AND WHEN ASKED, WHY DID YOU SPEND SO MUCH TIME ON THE BACK OF THE STATUE, OR EVEN THE SIDES OF THE STATUE, WHICH NOBODY WILL EVER SEE, HE SAID, THE GODS SEE ALL SIDES OF THE STATUE. YOUR GOD THAT YOU PROFESS TO BELIEVE IN SEES ALL, KNOWS ALL ABOUT YOU ALL. AND I CAN SEE THAT IF THAT JESUS YOU CLAIM TO WORSHIP IS WATCHING YOU, IT'S ENOUGH TO MAKE HIM WEEP IF HE WAS WHAT PEOPLE PROFESS HIM TO BE. AND THERE IS A VERSE THAT SAYS JESUS WEPT AND HE WEPT BECAUSE SOMEBODY WHO WAS SUPPOSED TO BE SOMETHING THAT HE WASN'T TURNED OUT TO BE AS BAD AS JESUS TOLD HIM HE WOULD BE. THERE ARE PEOPLE WHO READ THOSE FAIRY TALES, THOSE MYTHS ABOUT JESUS WHERE HE WAS PRAYING IN THE GARDEN OF GETHSEMANE BEFORE HE WAS GOING TO GO THROUGH HIS GREAT ORDEAL. AND HE'D ASKED HIS DISCIPLES TO WATCH WITH HIM FOR ONE HOUR. AND HE WENT THERE AND PRAYED. AND THINGS WERE SO HARD ON HIM THAT GREAT DROPS OF BLOOD CAME OUT OF HIM. SO, AFTER HE PRAYED IN HIS AGONY AND HE CAME BACK TO HIS DISCIPLES, YOU KNOW WHAT HE HEARD? (SNORING) AND JESUS SAID, WAKE UP, WAKE UP, CAN'T YOU WATCH WITH ME ONE HOUR, ONE HOUR AND YOU CANNOT WATCH WITH ME? BUT HE KNEW WHAT THEY WERE, JUST LIKE YOU ALL: NOTHING. AND PETER, WHEN HE PULLED HIMSELF

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TOGETHER, HE SAID: WELL, YOU KNOW, LORD, YOU CAN SAY WHAT THESE OTHER GUYS ARE GOING TO DO BUT I'LL BE WITH YOU. MY NAME IS PETER AND THAT MEANS ROCK. YOU'RE TALKING TO ROCKY. ROCKY IS GOING TO BE THERE WITH YOU, THE STONE. AND JESUS SAID, CALL YOURSELF WHAT YOU WANT, BUT YOU'RE GOING TO DENY ME THREE TIMES. PETER SAID, LORD, YOU MIGHT KNOW A LOT BUT YOU DON'T KNOW THE ROCK. SO AFTER THE STORY WENT ON, THESE PEOPLE WERE MISHANDLING JESUS. NONE OF HIS FRIENDS WENT UP THERE AND SAID, IF YOU'RE GOING TO TRY TO GET HIM, YOU GOTTA COME THROUGH ME FIRST, WHICH IS THE CODE IN THE STREET WHERE I GREW UP. IT'S NOT GOING TO BE A CASE WHERE ONE MAN IS GOING TO HAVE TO FIGHT THREE. HE'LL HAVE TO FIGHT AT LEAST TWO. BUT THAT WASN'T THEIR PHILOSOPHY. SO SOMEBODY SAID, HEY, BIG FELLA, WEREN'T YOU WITH HIM? HE SAID, NO, NO, I WASN'T WITH HIM. ANOTHER ONE SAID, OH, YES, YOU WERE, I SAW YOU PULLING FISH OUT OF THE SEA WITH HIM AND HE WAS ON THE BOAT WITH YOU. PETER SAID, YOU'RE MAKING A MISTAKE, NO, I DON'T KNOW HIM. THEN A THIRD ONE SAID, YOUR SPEECH GIVES YOU AWAY, YOU WERE WITH HIM. AND PETER SAID WITH AN OATH, SO AND SO AND SO, I WASN'T WITH HIM. AND YOU KNOW WHAT HAPPENED WHEN THAT LAST SYLLABLE CAME OUT OF PETER'S MOUTH? (CROWING) THE COCK CROWED AS JESUS SAID IT WOULD. JESUS SAID, YOU DENY ME THREE TIMES. [LB47]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB47]

SENATOR CHAMBERS: AND SO WHEN THAT COCK CROWED, ALTHOUGH THE BIBLE SAID CREW, JESUS JUST KIND OF TURNED TO PETER AND LOOKED OVER HIS SHOULDER AT HIM. AND PETER WAS SMITTEN IN HIS HEART AND HE WENT OUT AND WEPT BITTERLY. AND YOU KNOW WHAT THE REST OF THE DISCIPLES DID, THOSE BRAVE, BOLD MEN WHO HAD ASKED JESUS TO LET HIM CALL FIRE DOWN ON OTHER PEOPLE? THEY ALL FLED. ONE BETRAYED HIM. ONE DENIED HIM. ALL THE REST FLED. YOU ALL ARE FLEEING FROM HIM TODAY. YOU ALL ARE DENYING HIM TODAY. YOU ALL ARE BETRAYING HIM. KEEP THAT IN MIND. THANK YOU, MR. PRESIDENT. [LB47]

SENATOR HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

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SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I'D SIMPLY YIELD MY TIME TO SENATOR CHAMBERS. [LB47]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 4:52. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, YOU KNOW WHY I MAKE SOME RELIGIOUS ALLUSIONS? BECAUSE SENATOR BLOOMFIELD SAID THAT A PRAYER WILL BE SAID TOMORROW. AND I DON'T KNOW WHY HE'D WASTE HIS TIME. AND SOME OF YOU ALL WILL COME HERE AND STAND WITH YOUR HEAD DOWN. AND I DON'T KNOW IF YOU'RE ASLEEP, YOU'RE THINKING ABOUT DOING SOMETHING WICKED, OR THINKING ABOUT THE WICKEDNESS YOU DID LAST NIGHT, RELIVING IT, AND ENJOYING IT. BUT YOU CERTAINLY ARE NOT GOING TO CARRY OUT THE WORD AND THE COMMANDMENTS OF THAT ONE YOU ALL PRETEND TO WORSHIP. YOU HAVE THE NERVE TO CONDEMN SOMEBODY FOR SAYING, I DON'T BELIEVE LIKE YOU, I DON'T BELIEVE ANY OF THAT. IN FACT, IF I BELIEVED IT AND PRACTICED IT LIKE YOU ALL, I'D BE A FAR WORSE PERSON THAN I AM NOW. I DON'T BELIEVE IN LYING. I DON'T BELIEVE IN STEALING. I DON'T BELIEVE IN MOOCHING. I DON'T BELIEVE IN TRICKING PEOPLE. AND I CERTAINLY DON'T BELIEVE IN ENACTING LAWS THAT ARE BASED ON A LIE AND A FALSEHOOD AFTER TAKING AN OATH. OH, I FORGOT. I NEED TO READ WHAT HAPPENED TO THE NATIVE AMERICANS WHEN PROMISES WERE MADE TO THEM, SHOULDN'T I? AND I SHOULD LEARN FROM THAT, SHOULDN'T I? HE SPEAKS WITH A FORKED TONGUE, THE WIDE EYES. AND BY THE WAY, BEHEADING IS SOMETHING THAT THE EUROPEANS DID TO THE NATIVE AMERICANS IN THIS LAND. THEY BEHEADED THEM. AND NOT ONLY THAT, BUT THEY PUT THEIR HEADS IN FRYING PANS AND COOKED THEM OVER FIRE. THEY KICKED THEM DOWN THE STREETS LIKE FOOTBALLS. AND THESE THINGS ARE DESCRIBED BY SOME OF THE COLONISTS. SO THE COLONISTS WERE THE ISIS OF THE NATIVE AMERICANS. OH, THE HYPOCRISY. OH, THE DISHONESTY. I'M SO GLAD THAT I AM ME. AND I'M GLAD THAT I CAN BE ME. AND WHETHER ANYBODY LIKES IT OR NOT, WHETHER ANYBODY APPROVES OF IT OR NOT, WHETHER ANYBODY CONDEMNS IT OR NOT, I WILL ALWAYS BE ME. AND NOBODY CAN BUY ME BY DONATING MONEY TO A POLITICAL CAMPAIGN. NOBODY CAN COERCE MY CONDUCT BY THREATENING TO WITHHOLD MONEY FROM A POLITICAL CAMPAIGN. I WATCH. I'VE BEEN DOING THIS IN THIS LEGISLATURE FOR 42 YEARS. ANYBODY WHO IS CONSCIOUS FOR THAT LONG AND OBSERVES HAS GOT TO LEARN SOMETHING. AND I'VE LEARNED A GREAT DEAL. AND IT IS, INSTEAD OF MAKING ME BECOME LIKE YOU ALL, MAKING ME KNOW THAT I'LL NEVER BE LIKE THAT, EVER. AND YOU WAIT TILL YOU GET OUT OF THIS LEGISLATURE. ALL THOSE ADVERTISEMENTS EVEN IN CIRCULARS THAT

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YOU GOT AS A SENATOR, THEY'RE GOING TO STOP. PEOPLE YOU THOUGHT YOU HAD DEVELOPED A CORDIAL RELATIONSHIP WITH WILL NOT EVEN SPEAK TO YOU BECAUSE THERE'S NOTHING YOU CAN GIVE; IT'S ONLY BECAUSE YOU HAD THAT TITLE "SENATOR." SO DON'T THINK THAT IS A CLOAK OR SOMETHING THAT YOU'RE GOING TO WEAR FOREVER AND THAT PEOPLE WILL LOOK AT IT AND RESPECT YOU. THEY DON'T EVEN KNOW WHO YOU ARE. AND IF YOU THINK... [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR CHAMBERS: ...THIS LITTLE TIME THAT YOU SPEND IN THIS LEGISLATURE MAKES YOU SOMETHING SPECIAL, JUST BEING HERE WON'T DO THAT. BUT WHAT CAN MAKE YOU SPECIAL IS TO RISE TO THAT HEIGHT THAT YOU'RE CAPABLE OF RISING TO IF YOU JUST CARRY OUT YOUR OATH, IF YOU JUST FOLLOW THE OATH THAT YOU SWORE. AND EVERY TIME YOU DO SOMETHING LIKE YOU'VE INDICATED YOU INTEND TO DO TODAY, YOU DIMINISH YOURSELF. AND ALL I'M TRYING TO DO IS SAVE YOU FROM YOURSELF. I PROMISED YOU I WAS GOING TO CARRY THIS DAY TO THE END, AND I'VE SHOWN YOU THAT MY WORD CAN BE TAKEN. YOU CAN COUNT ON WHAT I SAY. YOU DON'T HAVE TO. AND I DON'T DO IT TO IMPRESS YOU. I DO IT BECAUSE OF WHAT I AM. THE MANNER OF MAN THAT I AM IS WHAT SUSTAINS ME. WHEN YOU'RE TIRED, WHEN YOU'RE SLEEPY... [LB47]

SPEAKER HADLEY: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS, AND YOU'RE NEXT IN THE QUEUE. [LB47]

SENATOR CHAMBERS: MEMBERS OF THE LEGISLATURE, I HAVE SEEN YOU DO SOME THINGS ON OCCASION THAT WOULD MAKE A PERSON, IF NOT PROUD, AT LEAST GLAD TO BE A PART OF AN OPERATION SUCH AS THIS. IT MAY HAVE BEEN JONATHAN SWIFT WHO SAID THAT WHEN YOU GIVE A BAD REASON, YOU ERASE 100 GOOD REASONS THAT YOU GAVE BEFORE. SO YOU CAN ERASE THOSE THINGS THAT HAD GREAT MERIT BY DOING THINGS THAT NOT ONLY LACK MERIT BUT THAT ARE CONTEMPTIBLE. IT IS CONTEMPTIBLE WHEN PEOPLE DELIBERATELY MISLEAD THE PUBLIC, KNOW THAT'S WHAT THEY'RE DOING, AND DO IT ANYWAY. THERE ARE GOING TO BE BILLS BEFORE US AND YOU'RE GOING

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TO SAY, DON'T SUPPORT THIS BILL BECAUSE THOSE WHO ARE BEHIND THIS CAN'T BE TRUSTED, AND SO FORTH. THEY'RE GOING TO SAY DON'T SUPPORT SENATOR LARSON'S GAMBLING BILL BECAUSE GAMBLING IS BAD. BAD IN WHAT WAY? YOU MEAN TO TELL ME PLAYING CARDS IS WORSE THAN WHAT YOU ALL ARE DOING BY ENACTING A LIE? WHAT STANDARD DO YOU MEASURE BY? WHAT'S WRONG WITH GAMBLING? YOU CAN GAMBLE ON THE LOTTERY. AND IF GAMBLING IS GAMBLING IS GAMBLING, THE ONLY REASON THE LOTTERIES ARE NOT BAD IS BECAUSE A BUNCH OF LIARS IN THE LEGISLATURE GOT SOMETHING ON THE BALLOT AND GOT FOOLISH PEOPLE TO VOTE FOR IT. SO YOUR MORALITY IS BASED ON THE WORDS IN THE CONSTITUTION. THAT'S WHY LOTTERIES ARE ALL RIGHT BUT PLAYING CARDS IS NOT. THAT'S WHY YOU CAN BET IF YOU'RE A STOCK PLAYER ON THE BULL MARKET OR THE STOCK MARKET, WHICH YOU DON'T CONTROL, BUT YOU CANNOT BET ON THE CHICAGO BEARS FOOTBALL TEAM OR THE CHICAGO BULLS BASKETBALL TEAM. BUT IT'S ALL GAMBLING. BUT IT DEPENDS ON WHO IS GOING TO DETERMINE WHAT A THING IS TO BE LABELED. AND YOU HAVE NO INNER CORE OF MORALITY THAT GUIDES YOU. YOUR CONDUCT DEMONSTRATES THAT. AND THIS DEMONSTRATES IT MORE THAN ANYTHING ELSE. AND I CAN BE FOR THE REST OF THE SESSION WHAT I AM. BUT YOU'RE GOING TO HAVE TO PUT ON ANOTHER FALSE FACE AS THE SESSION GOES ON, PUT ON ANOTHER FALSE FRONT AS THE SESSION GOES ON, TELL A DIFFERENT SET OF TALES AS THE SESSION GOES ON. BUT I'M GOING TO REMEMBER WHAT YOU DID TODAY. AND YOU SHOULD KEEP IT IN MIND ALSO. BUT IT'S NOT TOO LATE FOR YOU TO DO THE RIGHT THING. YOU DON'T HAVE TO PARTICIPATE IN MISLEADING AND TRICKING THE PUBLIC. YOU HAVE A CHANCE TO UNDO WHAT IT APPEARS IS GOING TO BE DONE. SENATOR WATERMEIER IS GOING TO INVOKE CLOTURE, AND I KNEW THAT. THAT'S WHY I SAID I'LL KEEP YOU HERE SIX HOURS OR WHATEVER THE NUMBER OF HOURS ARE. AND IF I DO IT TODAY, DO YOU THINK I'LL BE TIRED TOMORROW? I'M LIKE SOME OF THOSE FOOTBALL PLAYERS. THEY SAY, THE LONGER HE RUNS, THE STRONGER HE GETS. I'M NOT GOING TO FADE AWAY. I'M NOT GOING TO GET TIRED. I'LL BE READY TO DO THIS TOMORROW AND THE NEXT DAY AND THE NEXT DAY SHOULD I DECIDE TO DO IT. BUT ALL THAT IS UP TO ME. NOBODY DICTATES TO ME. I'M COMPLETELY FREE. I CAN DO WHATEVER I WANT. I DON'T HAVE TO OPEN MY MOUTH TOMORROW IF I DON'T WANT TO. OR I CAN TALK ALL DAY TOMORROW LIKE I DID TODAY. [LB47]

SPEAKER HADLEY: ONE MINUTE. [LB47]

SENATOR CHAMBERS: THAT'S WHAT I'M FREE TO DO BUT YOU'RE NOT. AND I'M GOING TO DRAFT MY RESOLUTION TO STOP THESE LOBBYISTS FROM FEEDING

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YOU MOOCHERS AND SPONGERS AND LUNCH HUNTERS. YOU DON'T EVEN HAVE ENOUGH SELF-RESPECT AND DIGNITY TO TURN DOWN THESE HANDOUTS FROM THE LOBBYISTS. THEY BUY YOU WITH A MEATLOAF SANDWICH AND A CHICKEN DINNER AND YOU'RE BEHOLDEN TO THEM. THAT'S WHAT I SEE ALL AROUND ME. YOU ALL KNOW YOU MOOCH AND SPONGE OFF THESE LOBBYISTS. AND THEY KNOW IT. AND THEY LAUGH AT YOU, THEY MOCK YOU, THEY MAKE JOKES ABOUT YOU. YOU'RE SOURCES OF AMUSEMENT. AND THESE BIG SHOTS YOU PASS LAWS FOR TO GIVE THEM BREAKS, WILL YOU EVER BE INVITED TO AKSARBEN? ARE YOU GOING TO EVER BE THE RIDICULOUS KING OF AKSARBEN? ARE YOU A PART OF THEIR SOCIAL CIRCLE? WHEN HAVE YOU EVER HEARD THEM SAY, BOY, IF WE CAN GET SOME OF THOSE SENATORS HERE, IT WILL RAISE OUR SOCIAL STANDING? [LB47]

SPEAKER HADLEY: TIME, SENATOR. [LB47]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR WATERMEIER, YOU ARE RECOGNIZED. [LB47]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. I JUST FEEL LIKE WE'RE GETTING CLOSE TO THE END HERE, MAY BE MY LAST CHANCE TO SPEAK TOWARDS THE BILL AND ESPECIALLY TO THE RECOMMIT, WHICH I APPRECIATE THE SUPPORT TO NOT SEND IT BACK TO THE COMMITTEE. THE ISSUE IS REALLY NOT A MATTER OF RIGHT OR WRONG. SENATOR CHAMBERS' POSITION IS PROBABLY NOT WRONG. IT IS A DIFFERENT POLICY CHOICE. AND HE WILL TELL YOU THAT WE'RE LIARS, HE WILL TELL YOU THAT IT'S WRONG, BUT WE MAKE POLICY CHOICE IN HERE ALL THE TIME. THE POLICY CHOICE THAT LB47 PROPOSES, THAT WE DISCLOSE IN A DRIVER'S LICENSE REGARDING ORGAN DONATION, WILL SAVE LIVES. THE OTHER POLICY CHOICE IS THAT GOVERNMENT SHOULD NOT ASK THIS QUESTION BECAUSE IT IS COERCED SPEECH. AND I WOULD ARGUE THAT IT IS NOT COERCED SPEECH BECAUSE IT'S AN ACT OF A VOLUNTARY PROCESS TO GO IN AND MAKE AN APPLICATION FOR A DRIVER'S LICENSE. NONETHELESS, THESE ARE POLICY CHOICES. I WOULD JUST ASK YOU TO KEEP IN MIND THE BIG PICTURE THAT 98 PERCENT OF THOSE ON THE ORGAN DONOR REGISTRY LIST COME FROM THIS APPLICATION FROM A DRIVER'S LICENSE. RIGHT OR WRONG, WHETHER YOU BELIEVE THAT WE SHOULD BE DOING IT OR NOT, IF WE WANT TO HELP THAT CAUSE...AND I KNOW THAT'S WHAT SENATOR CHAMBERS WILL GO RIGHT AFTER. WE SHOULDN'T BE HELPING THE

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CAUSE. BUT THAT'S WHY I'M HERE. THIS IS WHAT WE DO. WE MAKE POLICY DECISIONS. GET THE EMOTION OUT OF IT AND MAKE POLICY DECISIONS. I WOULDN'T DEFEND THAT IT'S BEING DONE IN 38 STATES. I DON'T CARE IF IT'S BEING DONE IN 48 OTHER STATES. WE IN NEBRASKA CAN MAKE THIS CHOICE BUT IT'S A POLICY CHOICE. WE MAKE OTHER CHOICES. BEFORE YOU CAN VOTE, WHICH IS A RIGHT, NOT A PRIVILEGE, BEFORE YOU CAN VOTE IN THIS STATE, YOU'RE REQUIRED TO SAY YOU'RE A LIBERTARIAN, A REPUBLICAN, OR A DEMOCRAT. WE REQUIRE THEM TO ANSWER THE QUESTIONS OR YOU CAN'T VOTE, YOU CAN'T EXERCISE YOUR RIGHT. IF YOU WANTED TO EXERCISE YOUR RIGHT OF NOT ANSWERING, YOU WON'T GET TO EXERCISE YOUR RIGHT, PLAIN AND SIMPLE. SO ON THIS VOTE I WOULD APPRECIATE A NO VOTE TO RECONSIDER THE VOTE TO RECOMMIT TO THE COMMITTEE. AND IF THAT FAILS, WE WON'T GO TO THE COMMITTEE. IF THAT PASSES, THAT'S A PROBLEM. THAT'S A KILL BILL FOR THIS BILL. IT'S A KILL BILL FOR LB47. AND I APPRECIATE THE 34 VOTES TO NOT SEND IT BACK TO COMMITTEE. TO MAKE SURE THAT'S WHAT WE'RE VOTING ON TODAY, I APPRECIATE A NO VOTE ON THAT. WE WILL MOVE RIGHT INTO THE AMENDMENT FROM THE COMMITTEE AMENDMENT, AM635, WITHOUT DISCUSSION. AND THEN WE WILL GO RIGHT INTO THE VOTING OF LB47. SO JUST MAKE SURE EVERYBODY IS HERE, READY TO VOTE. I WILL ASK FOR A CALL OF THE HOUSE AT THAT POINT IN TIME. THANK YOU, MR. PRESIDENT. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR. NEXT IS SENATOR SCHUMACHER. [LB47]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. IT WAS INTERESTING TO LISTEN TO SENATOR WATERMEIER, AND THAT ENCOURAGED ME TO PRESS MY BUTTON FOR THIS LAST TIME, BECAUSE HE ACKNOWLEDGED THE LEGITIMACY OF WHAT SENATOR CHAMBERS HAS BEEN SAYING. AND IT IS AN ORDERING OF PRIORITIES, AN ORDERING OF IMPORTANCE THAT THIS BODY WILL CHOOSE BETWEEN WHAT SENATOR CHAMBERS OBVIOUSLY FEELS IS VERY, VERY IMPORTANT, HAVING SPOKEN MOST OF THE LAST SIX HOURS ON THE ISSUE, AND THE DESIRE TO FACILITATE THE HARVESTING OF ORGANS. OKAY? WE ARE SAYING VERY, VERY CLEARLY THAT WE AS A LEGISLATURE PUT A VERY HIGH PRIORITY, A HIGHER PRIORITY THAN THE ISSUES OF MISLEADING STATEMENTS OR OMISSIONS THAT ARE IN THE ARGUMENTS THAT SENATOR CHAMBERS MADE. THAT'S KIND OF INTERESTING, THE HIGH PRIORITY WE ARE PLACING ON FACILITATING THE HARVESTING OF HUMAN ORGANS. THE ISSUES WE DIDN'T DISCUSS TODAY--THE ISSUES ABOUT WHETHER OR NOT THERE'S ANY FEES THAT ARE ALLOWED OR THE CONDITIONS



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UNDER WHICH THOSE ORGANS MAY BE HARVESTED, WHETHER A BRUTAL MURDER IS A PLACE WHERE ORGANS SHOULD BE HARVESTED OR NOT, WHETHER OR NOT BY ASKING OR PERMITTING THE HARVESTING OF ORGANS UNDER THOSE SITUATIONS, ENCOURAGING THEM, IN FACT, WE ARE REWARDING THE...OR GIVING SOME SOLACE TO THE MURDERER--INTERESTING ISSUES. BUT THE CONCLUSION WE DRAW IS EVEN MORE INTERESTING AND PARADOXICAL COMING IN THIS BODY, CONSIDERING A LOT OF OTHER POSITIONS IT HAS TAKEN RELATIVE TO SUCH ISSUES. SO AS WE APPROACH THE MIDNIGHT HOUR HERE, AND AS FAR AS THIS BILL IS CONCERNED, I ENCOURAGE EVERYONE TO THINK ABOUT THE DEEP PHILOSOPHICAL IMPLICATIONS, BECAUSE OUR STATEMENT WITH REGARD TO THE HARVESTING OF ORGANS AND THE LEGITIMACY OF THAT PRACTICE AND THE PRIORITY OF THAT PRACTICE MAY ECHO AGAIN IN THESE CHAMBERS, NOT ONLY IN THIS SESSION BUT IN FUTURE SESSIONS, BECAUSE IT IS INDEED A PHILOSOPHICAL CHOICE AND A STATEMENT OF PRIORITY. THANK YOU, MR. SPEAKER. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB47]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, WE'VE BEEN TALKING ABOUT MANDATES ALL DAY. SENATOR WATERMEIER JUST STOOD UP AND SAID THIS IS A VOLUNTARY ACT WHEN YOU GO TO GET YOUR PRIVILEGE TO DRIVE. I DON'T KNOW HOW MANY MEMBERS IN THIS BODY ARE ON THE UPHILL SIDE OF 70 YEARS OLD. I AM. I KNOW SENATOR CHAMBERS IS. BUT I RECALL BACK IN THE '60s, PRESIDENT KENNEDY ANNOUNCED A FARM PROGRAM FOR WHEAT GROWERS. AT THAT TIME WE WERE GROWING A LITTLE WHEAT. IT WAS A VOLUNTARY PROGRAM. PROBLEM WAS, IF YOU DIDN'T SIGN UP, YOU COULDN'T SELL YOUR WHEAT. YOU COULD STILL GROW IT, BUT YOU COULDN'T SELL IT. THAT'S A VOLUNTEER PROGRAM. THIS IS A VOLUNTEER PROGRAM AS LONG AS YOU DON'T THINK YOU SHOULD HAVE A DRIVER'S LICENSE. COLLEAGUES, PROCEED VERY, VERY CAREFULLY FROM THIS POINT FORWARD. WHAT YOU ARE DEEMING VOLUNTARY HERE MAY BE CORRECT. YOU ARE VOLUNTEERING TO GIVE AWAY PART OF YOUR FIRST AMENDMENT RIGHTS. THANK YOU, MR. PRESIDENT. [LB47]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR WATERMEIER, YOU ARE RECOGNIZED. [LB47]

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SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. I DID SKIP A STEP WHEN I THANKED EVERYBODY FOR THE 34 VOTES TO NOT, THE RED VOTES TO NOT RECOMMIT IT. WHAT WE'RE GOING TO GO THROUGH HERE IS A CLOTURE MOTION, JUST SO PROCEDURALLY WE UNDERSTAND. I WOULD LIKE YOU TO VOTE GREEN, VOTE YES ON THE CLOTURE MOTION THAT I'M GOING TO ASK BE ADOPTED HERE SHORTLY. AFTER THAT WE WILL GO DIRECTLY INTO THESE OTHER VOTES. SO VOTE YES FOR THE CLOTURE MOTION; VOTE NO FOR THE RECOMMIT. AND AFTER THAT WE WILL VOTE YES...I WOULD ASK YOU TO VOTE YES ON THE AMENDMENTS, THE COMMITTEE AMENDMENTS FROM TRANSPORTATION, AND YES ON LB47. THANK YOU, MR. PRESIDENT. [LB47]

SPEAKER HADLEY: SEEING NO ONE ELSE IN THE QUEUE, SENATOR CHAMBERS, YOU ARE RECOGNIZED TO CLOSE ON YOUR MOTION FOR RECONSIDERATION. [LB47]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, YOU ARE GOING TO VOTE CLOTURE, I KNOW THAT. IT MATTERS NOT TO ME. TODAY IS SETTING A TONE FOR THE REST OF THE SESSION. NOW DON'T COME TO ME WHEN THIS DAY IS OVER AND OTHER THINGS ARE BEING ADDRESSED BY ME, BECAUSE I'M NOT GOING TO NEGOTIATE, I'M NOT GOING TO BARGAIN, I'M NOT GOING TO BACK OFF. I DON'T CARE IF NO OTHER BILL IS PASSED THIS SESSION. AND YOU'LL HAVE THE OPPORTUNITY TO TEST MY RESOLVE, JUST AS YOU TESTED IT TODAY. YOU THOUGHT I WOULDN'T BE ABLE TO DO THIS. BUT IT'S NOTHING FOR ME. THIS IS NOT EVEN A CHALLENGE. AND IF I DIDN'T BELIEVE SO STRONGLY THAT THE VERY ESSENCE OF WHAT WE DO AS A LEGISLATURE IS BEING DEFILED AND CORRUPTED TODAY, THIS IS NOT THE BATTLE I WOULD HAVE CHOSEN. THIS THAT WE'RE TALKING ABOUT HAS NOTHING TO DO WITH WHETHER YOU AGREE WITH ORGAN DONATIONS OR NOT. SOME PEOPLE HAVE BEEN CALLING MY OFFICE ABOUT THE KIND OF INFORMATION THAT THE STATE WILL ACQUIRE AND TURN OVER TO OTHER PEOPLE WHO MIGHT MAKE INAPPROPRIATE USE OF IT, HOUNDING PEOPLE AND DOING OTHER KINDS OF THINGS. SO THE PUBLIC IS WATCHING AND THEY DO HAVE CONCERNS. AND I'M GLAD. THAT MEANS THEY WILL FOCUS ON THIS THAT THE LEGISLATURE IS DOING. AND SENATOR WATERMEIER KNOWS, SENATOR CRAWFORD KNOWS, SENATOR SULLIVAN KNOWS, ALL OF YOU KNOW THAT IT IS NOT APPROPRIATE TO MISUSE THE LAW IN THIS FASHION. YOU SAY SOMETHING IS MANDATORY TO INTIMIDATE A PERSON INTO DOING WHAT THAT PERSON MAY NOT WANT TO DO, AND YET THE THREAT IS A SHAM. IT'S A LIE. THE PERSON REALLY DOESN'T HAVE TO ANSWER THAT QUESTION. YOU SAY THAT YOU MUST ANSWER THIS QUESTION, BUT ACCORDING TO THE LAW, YOU DON'T HAVE TO

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ANSWER IT. ISN'T THAT TELLING THE PUBLIC A LIE? WHEN YOU SAY SOMETHING THAT IS NOT TRUE, ISN'T THAT A LIE? AND SENATOR WATERMEIER'S AMENDMENT THAT YOU ALL ADOPTED AND THAT YOU'RE GOING TO SUPPORT IS WHY I SAY YOU'RE ALL A BUNCH OF LIARS. YOU KNOW THAT IT'S NOT TRUE AND THAT MAKES YOU A LIAR. NOW VOTE THE LIE BECAUSE YOU'RE MAD AT ME AND I OWN YOU. I OWN YOUR VERY SOUL. I'M MAKING YOU SUPPORT A LIE AND YOU KNOW IT'S A LIE AND NOT ONE OF YOU CAN STAND UP AND SAY THAT I'M WRONG. EVEN SENATOR WATERMEIER SAID WHAT I'M SAYING IS RIGHT. HE KNOWS IT. SO THAT'S AT LEAST ONE LESS LIE AGAINST HIM. BUT THE BIG LIE IS THE ONE THAT HE GOT YOU ALL TO FOLLOW. BUT HE'S NOT TO BLAME FOR THAT. EACH ONE OF YOU MADE THE CHOICE ON YOUR OWN. YOU'RE ALL GROWN. ALL YOU CONSERVATIVES WHO TALK ABOUT THE MORALITY, THE HONESTY IN DEALING WITH THE PUBLIC, AND YOU'RE BEING AS DISHONEST TO THE PUBLIC AS IS IMAGINABLE. BUT I'M GOING TO WATCH YOU. DO WHATEVER YOU WANT TO DO, AND IT MAKES ME NO DIFFERENCE. MY LIFE IN THIS SOCIETY HAS BEEN ONE OF WATCHING PEOPLE DO THINGS THAT THEY SHOULDN'T, SAY THINGS THEY DON'T BELIEVE, NOT PRACTICE WHAT THE LAW SAYS. BUT I SURVIVE AND I THRIVE. SO I'M GOING TO OBSERVE AND SEE JUST WHAT HAPPENS. THANK YOU, MR. PRESIDENT. [LB47]

SPEAKER HADLEY: YOU'VE HEARD THE CLOSING ON THE MOTION TO RECOMMIT. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB47]

CLERK: 5 AYES, 30 NAYS, MR. PRESIDENT, ON THE MOTION TO RECONSIDER. [LB47]

SPEAKER HADLEY: THE MOTION TO RECONSIDER IS DENIED. MR. CLERK, YOU HAVE A MOTION ON THE DESK? [LB47]

CLERK: I DO, MR. PRESIDENT. SENATOR WATERMEIER WOULD MOVE TO INVOKE CLOTURE PURSUANT TO RULE 7, SECTION 10. [LB47]

SPEAKER HADLEY: SENATOR WATERMEIER, FOR WHAT PURPOSE DO YOU RISE? [LB47]

SENATOR WATERMEIER: I WOULD JUST LIKE TO ASK FOR A CALL OF THE HOUSE AND A ROLL CALL IN REVERSE ORDER, PLEASE, MR. PRESIDENT. [LB47]

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SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. SENATOR BAKER, SENATOR MELLO, SENATOR SEILER. RECORD, MR. CLERK. [LB47]

CLERK: 43 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB47]

SPEAKER HADLEY: HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL MUST LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. IT IS THE RULING OF THE CHAIR THAT THERE HAS BEEN FULL AND FAIR DEBATE ACCORDED TO LB47. THE FIRST VOTE IS TO INVOKE CLOTURE. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. ROLL CALL VOTE. [LB47]

CLERK: REVERSE ORDER, YES. (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 261.) 37 AYES, 7 NAYS, MR. PRESIDENT, ON THE MOTION TO INVOKE CLOTURE. [LB47]

SPEAKER HADLEY: THE MOTION TO INVOKE CLOTURE IS ADOPTED. MEMBERS, THE NEXT VOTE IS ON THE ADOPTION OF AM635 TO LB47. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL THOSE VOTED THAT WISH? RECORD, MR. CLERK. [LB47]

CLERK: 37 AYES, 2 NAYS, MR. PRESIDENT, ON ADOPTION OF COMMITTEE AMENDMENTS. [LB47]

SPEAKER HADLEY: THE MOTION...THE AMENDMENT IS ADOPTED. MEMBERS, WE WILL NOW VOTE ON ADVANCEMENT OF LB47 TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? THERE'S BEEN A REQUEST FOR A RECORD VOTE. RECORD, MR. CLERK. [LB47]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 261-262.) 32 AYES, 8 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB47. [LB47]

SPEAKER HADLEY: THE MOTION IS ADOPTED. LB47 IS ADVANCED. I RAISE THE CALL. MR. CLERK. [LB47]

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January 12, 2016

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CLERK: I HAVE ITEMS, MR. PRESIDENT. NEW BILLS. (READ LB927-935 BY TITLE FOR THE FIRST TIME.) MR. PRESIDENT, NATURAL RESOURCES COMMITTEE REPORTS LB127 AS INDEFINITELY POSTPONED. HEARING NOTICE FROM REVENUE COMMITTEE. SENATOR RIEPE HAS SELECTED LB817 AS HIS PRIORITY BILL. I HAVE A GUBERNATORIAL APPOINTMENT LETTER WITH RESPECT TO AN APPOINTMENT TO THE INVESTMENT COUNCIL. NAME ADDS: SENATOR GROENE TO LR35; SENATOR LINDSTROM TO LR35; SENATOR EBKE TO LB717 AND TO LB844; AND SENATOR SCHNOOR TO LB817. (LEGISLATIVE JOURNAL PAGES 262-265.) [LB927 LB928 LB929 LB930 LB931 LB932 LB933 LB934 LB935 LB127 LB817 LR35 LB717 LB844 LB817]

MR. PRESIDENT, A PRIORITY MOTION. SENATOR CRAWFORD WOULD MOVE TO ADJOURN THE BODY UNTIL WEDNESDAY MORNING, JANUARY 13, AT 9:00 A.M.

SPEAKER HADLEY: YOU'VE HEARD THE MOTION. ALL IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED, NAY. MOTION CARRIES. WE ARE ADJOURNED.